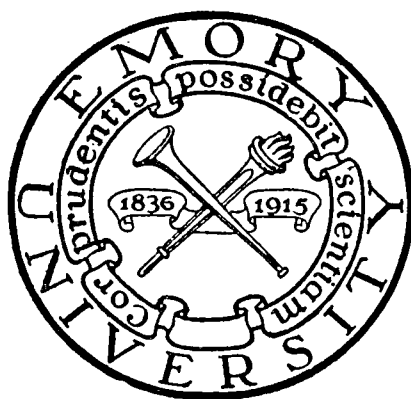




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**JOURNAL**  
**OF THE**  
**HOUSE OF REPRESENTATIVES**  
**OF THE**  
**STATE OF GEORGIA.**

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**MONDAY, NOVEMBER 7th, 1853.**

At the session of the General Assembly, begun and hold-  
en at the State House, in the city of Milledgeville, in the  
county of Baldwin, on the seventh day of November, in the  
year of our Lord one thousand eight hundred and fifty-three,  
and of the Independence of the United States, the seventy-  
eighth,

Upon motion of Mr. Reynolds, of Newton, Dr. George D.  
Phillips of the county of Habersham, was called to the chair  
for the purpose of organizing the House.

The clerk then proceeded to call the roll, and the follow-  
ing named members, elect from the several counties hereaf-  
ter mentioned, produced their credentials, and having taken  
the oath prescribed by the Constitution of this State, and to  
support the Constitution of the United States, before the  
Honorable Alfred Iverson, one of the Judges of the Superior  
Courts in this State, took their seats to-wit :

From the county of Appling, the Hon. Washington Dyall.

From the county of Baker, the Hon. L. G. Rowell.

From the county of Baldwin, the Hon. M. D. McComb.

From the county of Bibb, the Hon's Thomas Hardeman  
and H. K. Green.

From the county of Bryan, the Hon. William Strickland.

From the county of Bulloch, the Hon. William H. Mc-  
Lean.

From the county of Burke, the Hon's Joseph A. Shew-  
make and M. D. Jones.

From the county of Butts, the Hon. John Andrews.

From the county of Carroll, the Hon. M. Reid.

From the county of Campbell, the Hon. Thomas B. Latham.

From the county of Camden, the Hon. J. C. Smith.

From the county of Cass, the Hon's Alfred Linn and J. A. Crawford.

From the county of Chatham, the Hon's John E. Ward and G. P. Harrison.

From the county of Chattooga, the Hon. Saml. Hawkins.

From the county of Cherokee, the Hon's L. J. Alread and Lawson Fields.

From the county of Cobb, the Hon's G. O. Gartrell and A. Maynor.

From the county of Columbia, the Hon's J. R. Wilson and O. L. Barnes.

From the county of Clark, the Hon's W. P. Hardin and J. B. Carleton.

From the county of Clinch, the Hon. J. W. Staten.

From the county of Coweta, the Hon's James U. Dodds and R. B. Bridges.

From the county of Crawford, the Hon. Washington C. Cleveland.

From the county of Dade, the Hon. R. M. Paris.

From the county of DeKalb, the Hon's Greenville Henderson and G. K. Smith.

From the county of Decatur, the Hon. B. F. Powell.

From the county of Dooly, the Hon. H. J. Shine.

From the county of Early, the Hon. John West.

From the county of Effingham, the Hon. Milton H. Powers.

From the county of Elbert, the Hon's L. H. O. Martin and E. L. Rucker.

From the county of Emanuel, the Hon. E. Durden.

From the county of Fayette, the Hon. Daniel D. Denham.

From the county of Floyd, the Hon. M. H. Haynie.

From the county of Forsyth, the Hon. Benj. J. Rice.

From the county of Franklin, the Hon's Jefferson Holland and William R. Poole.

From the county of Gilmer, the Hon. Joseph Pickett.

From the county of Glynn, the Hon. John Dubignon.

From the county of Gordon, the Hon. Thomas S. Mays.

From the county of Greene, the Hon's John Armstrong and J. W. Champion.

From the county of Gwinnett, the Hon's J. C. Whitworth and T. P. Hudson.

From the county of Habersham, the Hon's George D. Phillips and Benjamin Cleveland.

From the county of Hall, the Hon. John A. Headen.

From the county of Hancock, the Hon. L. S. Stewart.

From the county of Harris, the Hon's James M. Mobley and E. C. Hood.

From the county of Henry, the Hon's E. B. Arnold and S. C. Masters.

From the county of Heard, the Hon. Richard T. Stokes.

From the county of Houston, the Hon's D. W. Taylor and James W. Hardison

From the county of Irwin, the Hon. George R. Reid.

From the county of Jasper, the Hon's W. R. Smith and Calvin Fish.

From the county of Jackson, the Hon. Peter E. McMillen.

From the county of Jefferson, the Hon. George Stapleton.

From the county of Jones, the Hon. William S. Moughon.

From the county of Laurens, the Hon. John W. Yopp.

From the county of Liberty, the Hon. William Smith.

From the county of Lincoln, the Hon. C. R. Strother.

From the county of Lee, the Hon. William B. Richardson.

From the county of Lowndes, the Hon. Henry Radford.

From the county of Lumpkin, the Hon's. H. W. Riley and J. W. Kieth.

From the county of Macon, the Hon. M. J. McMullen.

From the county of McIntosh, the Hon. James Hamilton.

From the county of Madison, the Hon. William Eberhart.

From the county of Marion, the Hon. G. A. Brown.

From the county of Meriwether, the Hon's I. C. Nichols and B. M. Leverett.

From the county of Monroe, the Hon's O. S. Woodward and William C. Redding.

From the county of Montgomery, the Hon. A. J. Williamson.

From the county of Morgan, the Hon. A. B. Bostwick.

From the county of Murray, the Hon. A. M. Turner.

From the county of Muscogee, the Hon's B. A. Thornton and A. McDougald.

From the county of Newton, the Hon's P. Reynolds and L. Q. C. Lamar.

From the county of Oglethorpe, the Hon's Z. H. Clark and I. H. McWhorter.

From the county of Paulding, the Hon. James Harden.

From the county of Pike, the Hon's Wm. W. Arnold and T. C. Trice.

From the county of Polk, the Hon. Rheese McGregor.

From the county of Pulaski, the Hon. L. L. Harrell.

From the county of Putnam, the Hon's E. Callaway and P. H. Dawson.

From the county of Rabun, the Hon. John Quincy Adams.

From the county of Randolph, the Hon's M. D. Hendrick and Noah Robinson.

From the county of Richmond, the Hon's W. A. Walton and A. C. Walker.



From the county of Scriven, the Hon. E. B. Gross.

From the county of Spaulding, the Hon. William Crittenden.

From the county of Stewart, the Hon's Sampson Bell and John Williford.

From the county of Sumter, the Hon. Andrew J. Williams.

From the county of Talbot, the Hon's John H. Walton and B. Maxwell.

From the county of Taliaferro, the Hon. Singleton Harris.

From the county of Tattnall, the Hon. Manning J. Moody.

From the county of Taylor, the Hon. J. Stewart.

From the county of Telfair, the Hon. A. L. Hatten.

From the county of Thomas, the Hon. James McDonald.

From the county of Troup, the Hon's A. B. Fannin and B. H. Cameron.

From the county of Twiggs, the Hon. Eli. S. Griffin.

From the county of Union, the Hon. Andrew Young.

From the county of Upson, the Hon's John J. Grant and J. L. Stephens.

From the county of Walton, the Hon's L. B. Hays and H. L. Williams.

From the county of Ware, the Hon. Mathew Sweatt.

From the county of Warren, the Hon's E. H. Pottle and M. D. Cody.

From the county of Walker, the Hon. A. Clements.

From the county of Wayne, the Hon. J. Rumph.

From the county of Wilkes, the Hon's E. R. Anderson and Isaiah T. Irwin.

From the county of Whitfield, the Hon. F. W. McCurdy.

From the county of Washington, the Hon's M. E. Boatright and R. A. Robinson.

From the county of Wilkinson, the Hon. James Taylor.

On motion of Mr. Reynolds, the House proceeded to the election of a Speaker, and the ballots being received and examined, it appeared that John E. Ward, Esq., member elect from the county of Chatham, was duly elected.

Whereupon, a committee, consisting of Messrs. Reynolds, Crawford, Crittenden and Latham, were appointed to conduct him to the chair, whence he addressed the House, and tendered his acknowledgements.

On motion, the House then proceeded to the election of a Clerk, and the ballots being received and examined, it appeared that William T. Wofford, Esq., of Cass county, was duly elected.

The House then proceeded to the election of a Messenger—when, the ballots being received and examined, it appeared that Jesse Oslin, of Cobb county, was duly elected.

The House then proceeded to the election of a Door-Keeper.

Pending which, on motion, the House took a recess until 3 o'clock, P. M.

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### THREE O'CLOCK, P. M.

The House met pursuant to adjournment, and resumed the unfinished business of the morning, to-wit: the election of a door-keeper—when, on receiving and counting out the votes, it appeared that A. R. Powell, of the county of Telfair, was duly elected.

On motion, the House then adjourned until 10 o'clock tomorrow morning.

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### TUESDAY, NOVEMBER 8th, 1853.

The House met pursuant to adjournment.

Mr. Mobley, of Harris, offered the following resolution:—which was received and adopted:

*Resolved*, That the Clerk inform the Senate, that the House of Representatives is organized, having made choice of John E. Ward, Esq., of the county of Chatham, Speaker; and William T. Wofford, Esq., of the county of Cass, Clerk.

The following message was received from the Senate by Mr. Moore, their secretary:

*Mr. Speaker*:—I am directed by the Senate to inform the House of Representatives, that they are organized, having made choice of John D. Stell, Senator elect from the county of Fayette, as their President; and Hugh Moore, Esq., of the county of Sumter, as their Secretary, and are now ready to proceed to business.

I am also directed by the Senate to inform the House of Representatives, that they have agreed to a resolution to appoint a committee, to join such committee as may be appointed by the House, to wait upon his Excellency the Governor, and inform him that both branches of the General Assembly are now organized, and ready to receive any communication he may have to make. The committee appointed by the Senate are Messrs. Singleton, Mosely and Cone.

On motion of Mr. McDougald, the message from the Senate, in relation to the appointment of a committee to wait upon his Excellency the Governor and inform him of the organization of the General Assembly, was taken up and agreed to.

Whereupon, the Speaker appointed the following committee, under that resolution, to-wit: Messrs. McDougald, Reynolds, Pottle, Hawkins and McLean.

Mr. Latham offered the following resolution, which was received and adopted :

*Resolved*, That a committee of three be appointed by the Speaker, to examine the gallery, and have temporary supports prepared for the inauguration to-morrow.

Mr. Strother offered the following resolution :

*Resolved*, That the House adopt the rules of the House for the year 1851, and that one hundred and fifty copies be printed for the use of the House ; which was received and adopted.

The following resolution was offered by Mr. Harrison, of Chatham :

*Resolved*, That editors and reporters of newspapers be permitted to occupy seats on the floor of the House of Representatives ; which was agreed to.

The following message was received from his Excellency the Governor, by Mr. Paine, his secretary :

*Mr. Speaker* :—I am directed by his Excellency the Governor to deliver to the House of Representatives his biennial Message, with the accompanying documents ; which, on motion of Mr. McDougald, was taken up and read, as follows :

## M E S S A G E .

EXECUTIVE DEPARTMENT. }  
MILLEDGEVILLE, 8TH NOV. 1853. }

*Fellow-citizens of the Senate*

*and House of Representatives :*

In discharge of my constitutional duty, I proceed to lay before you such matters as should receive your attention during the present session of the General Assembly.

On the twentieth day of October, 1851, the public debt amounted to \$1,687,472 22. By the act of December 4th, 1851, ratifying the contract of my predecessor and the Chief Engineer of the Western & Atlantic Rail Road, for the purchase of iron for the State Road, it was increased \$200,000. By Act of January 12th, 1852, providing for the repairs and equipment of said Road, it was still further increased the sum of \$525,000—and by the Act authorizing a subscription to the Milledgeville & Gordon Rail Road, there was added the sum of \$20,000, making the total amount of the State, \$2,432,472 22. To this amount should be added the bonded debt of the Central Bank, which is now \$369,500, having been diminished by the payment of \$5,500, since the 1st of November, 1851. The total liability of the State is thus seen to be \$2,801,972 22, from which must be deducted the sum of 166,500, which has been paid during the



past two years, under the provisions of the Act of February 11th, 1850, providing for an annual Sinking Fund for the payment of the public debt. The present debt of the State, therefore, is \$2,635,472 22.

The bonds authorized by the Act of 4th December, 1851, were made payable at the State Treasury, and the interest payable semi-annually at the Bank of the State of Georgia in Savannah. These bonds were negotiated for a premium averaging about two per cent. I was satisfied that our bonds should command a higher premium, and finding upon an investigation of the subject, that a more advantageous negotiation could be effected, by making them payable in New-York—I caused the bonds issued, under Act of January 12th, 1852, to be made payable at the Bank of the Republic, in the city of New-York. They were negotiated at a premium of 5 per cent. It is the first instance in which our State securities had been disposed of at any premium, and it should be gratifying to our State pride to know, that the bonds of our State now stand among the first securities of their class. The bonds of no State in the Union command more of the confidence of capitalists who seek a safe investment of their funds. This confidence is not misplaced, for no State in the Union has more ample means to meet its liabilities, and no people are more tenacious of the credit and honor of their State, than our own.

As the interest of a portion of our bonds has to be paid in New-York, it becomes necessary for the Treasurer to keep on deposit there, a sufficient sum of money to meet the interest as it falls due. This has been done under my direction. If any doubts exist as to the power or propriety of this course, it would be advisable that all such doubts should be quieted by passing a law authorizing such deposits to be made. The necessity of it is so obvious, that I deem it unnecessary to present any argument in support of the recommendation.

I refer you to the accompanying report of the Treasurer, in which will be found a tabular statement of the public debt, showing at what time each portion of it will fall due. From this statement you will find that a very large portion of our debt will become due about the same time. This matter should receive the attention of ourselves as well as your successors, in order that by a course of wise and judicious legislation, the payment of our bonds may be anticipated, otherwise we should be called upon to make very large payments, within a very short period, which would lead either to burdensome taxation, or an extension of the time for the eventual liquidation of our liabilities. Both results can and ought to be avoided. In the present prosperous condition of our State affairs, there will be no difficulty in creating a Sinking Fund, which will en-

tirely discharge the public debt, before it shall have fallen due. There should be additional legislation of this subject, giving to the Executive full power and discretion to appropriate the surplus means of the Treasury to the purchase of our bonds under such limitations as your judgement may deem advisable. The present law leaves the question in some doubt, whether or not the legislature intended any premium should be paid by the State in the purchase of bonds not yet due. Such, however, is the present high character of our State securities with all classes of capitalists, that it is impossible to obtain them at par. As long as individuals are willing to pay a premium for these bonds, so long will the State also be compelled to pay a premium for such as she may wish to redeem in advance. I have thought it advisable to make the purchase at a small premium, to the amount required by law to be annually redeemed. There is no other safe investment of a Sinking Fund, and as a matter of economy, it is better to pay the premium, than to allow the money to remain undisposed of in the Treasury, tempting the Legislature either to unnecessary and wasteful expenditures, or to an unwise reduction of taxes. I call your attention particularly to this subject, that such laws may be passed as will carry out the public will in reference to it.

#### THE CENTRAL BANK.

By the Act of December 10, 1851, I was authorized to transfer the assets of the Central Bank to the Treasury, when in my discretion the interests of the State should require it. Believing that there was no longer any necessity for continuing that institution in existence, for any other purpose than to wind up and close its business; I appointed the commission authorized by the foregoing Act, to investigate the condition of the Bank, and transfer its remaining assets to the Treasury. I herewith transmit their report, from which it will be seen what was the condition of the Bank at that time. The accompanying report of the Treasurer, will exhibit its present condition, as well as its operations since it has been transferred into his hands. There are yet outstanding, many debts, some of which will be collected; but, from the larger portion, nothing will ever be realized by the State, and it becomes a matter for your consideration, what disposition shall be made of its remaining and unavailable assets, and also what provision shall be made for meeting and discharging its liabilities. Upon a careful examination of the affairs of the Bank, I am satisfied, that after exhausting all its resources, there will be left the amount of \$369,500, which must be paid from the Treasury. It is for this reason that I have placed the bonds of the Bank in the computation of the public debt, which I have already submitted to you. I would recommend that the Executive be author-

ized to take up these bonds, and issue regular State bonds in their stead, provided satisfactory arrangements can be made with the present holders of them. In addition to this amount, it will be necessary for you to provide by law for the payment of about the sum of \$20,000. This amount has been borrowed by the Treasurer, under my direction, to meet the accruing interest on the Central Bank bonds, the funds of the Bank falling short by that amount. This step was necessary to save the credit of the State, as these bonds are regarded in public estimation as a part of the public debt, and if we had failed to have paid this interest promptly, the effect would have been to have depreciated the general credit of the State.

It is useless to encumber the Treasury longer with the remaining assets of the Central Bank, which will continue worthless and unavailable as long as they remain the property of the State. I know of no better disposition that could be made of them, than by selling them for whatever they would bring. To keep them and attempt their collection, would involve the State in continued expense and litigation; without any remunerating benefit.

#### THE TREASURY.

The accompanying report of the Treasurer will give you a clear and satisfactory account of the operations of that department during the past two years. You will observe that this report is complicated with a useless statement of unavailable assets in the Treasury. These stereotyped items have been repeated from time to time, without the slightest benefit to the State, throwing no light upon the condition of the Treasury, and leading to no possible beneficial result. As long, however, as no action is had by your body on the subject, it will be necessary for the Treasurer to encumber his report with them. I recommend, therefore, that you take such steps as will relieve the department from the necessity of further reference to these worthless assets, by directing them to be destroyed under the direction of the Executive, or a committee of your body. The report of the Treasurer shows the available balance in the Treasury on the 20th October, 1853, to be \$74,857 35.—Concurring as I do, in the estimates contained in his report of the probable expenditures of the next two years, I deem it unnecessary to add anything on that subject.

There has been collected from the General Government during the past two years, the sum of \$144,890 53. These claims have been long standing, and the State is now indebted for the collection of so large a portion of them, to the energy and ability with which they have been urged by the agent appointed by my predecessor, and continued by myself, Joseph Sturgis, Esq. There are yet unsettled

claims due to us from the General Government, but I am unable to say, at what time you may expect their payment. It would be unwise to calculate upon the reception of any portion of it, in your legislation upon the Finances of the State. For additional information you are referred to the accompanying report of Mr. Sturgis.

I herewith transmit to the General Assembly, the report of the Financial Committee for the year 1852, and call your attention to its statements and recommendations, as worthy of consideration. The Report of the Comptroller General is also herewith transmitted.

#### THE TAX LAW.

It was provided by the Tax Act of January 9th, 1852, and the supplementary Act of January 21, 1852, that the sum of three hundred and seventy-five thousand dollars should be raised under those Acts, for the support of the Government for each of the political years of 1852 and 1853. In the first Act, the rate of taxation was limited to one-twelfth of one per cent. The supplementary Act was passed under a well-founded apprehension that the required amount would not be realized at that rate. This last Act required the Governor, with the assistance of the Comptroller General, to consolidate the returns of the various tax receivers, and authorized them to fix the rate of taxation at such per cent as would raise the sum of three hundred and seventy-five thousand dollars. Upon the examination of the tax digest as required by this law, it was ascertained that it would require a tax of one-tenth of one per cent. to raise the amount which the Legislature had fixed upon; and accordingly, the necessary orders were issued to that effect. This was true of the returns for each of those years, and there was consequently no change in the rate of taxation for the present year. The passage of those Acts introduced a new system of taxation in our State. The ad valorem principle was for the first time incorporated into our laws, though its justice and propriety had long been seen and felt by our people.— For many years the friends of a fair and equitable system of taxation had sought to modify the old law, which was admitted to be unjust in its operation and indefensible in principle. Every candid and fair-minded man recognized the correctness of the principle that every citizen should be required to pay for the support of his government, according to the extent and value of his property. Upon that principle, an ad valorem tax should be based, and when faithfully carried out, must command the approval and support of every man who is willing to bear his due portion of the burthen of Government. That the present tax law fully comes up to this standard, I am not prepared to say. The object of its framers was, however, to approximate it, and if they had

failed to reach it, the duty is imposed upon their successors of applying the lights of experience and practical operations to its modification and improvement. It is not strange, that an untried experiment should be found to be defective in some of its details ; it is rather a matter of surprise that more obvious and glaring mistakes should not have occurred in the first effort, to adopt a new, radically differing from the old system. I am aware of the fact, that there exists in the public mind, in some portion of the State, very strong prejudices against this law, but I am well satisfied that these prejudices are not so deeply rooted, as to defy the approach of reason and sound sense. In most instances it will be found that this opposition is limited to some provisions of the law, which may with propriety be modified and improved, and for that reason your attention should be directed to such modifications as will make it conform more exactly to the *ad valorem* principle. Let the details of the law then be scrutinized, its defects brought to light, and the proper remedy be applied by wise and judicious amendments. With many persons the merits of the present law has been subjected to the test of comparing the amount of taxes paid by them under the two different systems. They find that their tax has been increased, and without further enquiry, they attribute that increase entirely to the change of the law. A simple statement will exhibit the incorrectness of this conclusion. The amount of taxes collected for the political year 1851, under the old system, was \$291,077 38-100, whilst the amount collected for the year 1852, was \$376,156 60-100. It must be borne in mind that the Legislature saw the necessity of raising an increased sum, and therefore provided in the Act of 1852, that there should be raised the sum of \$375,000. If, therefore, there had been no change in the system, it would have been necessary to have increased the taxes about twenty-five per cent. To compare then the operation of the two systems fairly, in individual cases, such persons should first add twenty-five per cent to their tax as paid in 1851, and compare the amount thus ascertained with the amount which they actually paid under the present law. When this is done, it will be found that their increased tax, is owing, not to a change of the law; but to the increased necessities of the State.

Another objection has been urged to the present law, which is founded in good reason, and is worthy of your consideration. It results from the difficulty of ascertaining the true value of the tax payer's property. Such is the peculiar organization of men's minds, that with the most honest intentions, they differ widely in their estimate of the value of property ; while others, unwilling to contribute their due portion to the support of the Government, place so low an estimate upon the value of their property, as to cause just

ground of complaint with their more conscientious and generous neighbors. As every man is at liberty under the present law, to value his own property, he can put what estimate he pleases upon it. The law appeals to his conscience alone on this subject, and there is no mode provided for reaching those, who are indifferent to the obligations of truth and honor. It is gratifying to know that the number of this class is small. An examination of our tax digests will show the fact, that with the great body of our people, there has been exhibited a disposition to make a fair and just return of their property.

The cases of the few, however, should be reached, and I would recommend that some provision be made by law for assessing the property of those who seek to avoid the payment of their just dues to the State, by falsely estimating their property below its true value. This and similar defects in the details of the law, should be remedied by prompt legislation. Time and experience will thereby, ultimately perfect the system, and render it acceptable to all classes and interests. The ad valorem principle being recognised by all, as being right and just, it only requires prudence, firmness and wisdom in enforcing its application, to secure for a law based upon it, the cordial approval of the people.

For the purpose of instituting a comparison of the taxes paid by our people, with that paid by the people of the other States, I addressed a circular letter to the Executives of the several States, asking for a statement of their tax law. To this communication, I received many replies, but not enough to carry out the original object I had in view. The information, however, obtained, was sufficient to satisfy my own mind that we pay as little as the people of any other State, whilst as compared with some of the States, our tax is almost nominal. As low as our present taxes are, we may look forward to the time when they may be greatly reduced. As soon as the public debt shall have been extinguished, we can with propriety reduce our taxes one-half, and that too, without looking to any other source of revenue for the ordinary expenses of the Government. This is certainly a gratifying state of things, and will go far to conciliate the feeling of opposition that has been engendered in the public mind against the present system. Firmness in the maintenance of the ad valorem principle—wisdom in the adoption of amendments suggested by experience, and economy in the administration of the Government, will soon dispel all the prejudice and opposition with a wise and patriotic people.

#### WESTERN AND ATLANTIC RAIL ROAD.

By the Act of January 15th, 1852, I was required to appoint a Superintendent of the Western & Atlantic Rail

Road, who should have the general management and control of that work. I appointed Wm. M. Wadley, Esq., who entered upon the duties of his office on the first day of February, 1852. The means of the Road had fallen far short of its necessities, and the result was that the Road was in a wretched condition. My predecessor and the former Chief Engineer of the road, realizing this fact, had very properly purchased a large quantity of iron for its repair. The contract made by them was approved by the last Legislature by the Act of December 4th, 1851. When Mr. Wadley entered upon his office, he encountered all the difficulties, which this state of things had brought about. The last Legislature, intending to provide amply for the thorough repair and equipment of the Road, by the Act of January 15, 1852, appropriated the sum of \$525,000, for that purpose. This sum would have been sufficient, if it could have been applied to the objects contemplated by the Legislature, but unfortunately, it required much the larger portion of it to pay off the former debts of the Road which had been accumulating from its first organization. We were, therefore, compelled to look to its revenues to do that, which it was the intention of the Legislature should have been done, with this appropriation; and this fact will account for the disappointment of those, who had calculated upon an accruing revenue to the State Treasury from the proceeds of the Road. I refer you to the accompanying Reports of Mr. Wadley and his successor, Mr. Yonge, for a more full and satisfactory statement of the facts to which I have thus briefly alluded. It is hardly necessary for me to speak of the matter in which these difficulties were met and overcome by the Superintendent. The energy and ability displayed by him are so familiar to the public, that it would be a work of supererogation to remark upon it. He did all that could be done, and I venture to add, more than any other man would have effected under the same circumstances. I need not add, that his entire management of the Road, met my cordial approval.

On the first day of February 1853, Mr. Wadley resigned his office of Superintendent, and I appointed George Yonge, Esq., to fill his vacancy. It is due to Mr. Wadley to state, that he did not leave his post until he had satisfied me, that the interests of the Road would not suffer from his withdrawal. In his successor, I have found an able, experienced and faithful officer, whose successful management of the Road as exhibited by his report, is the best encomium that can be passed upon his services.

It affords me much pleasure to call your attention to the present condition of this great State work. The Reports of the Superintendents will show you in detail its operations during the two past years. The failure to report any profits

paid over to the State Treasury, has already been accounted for. The fact, however, that profits have been realized, and appropriated to the wants of the Road, should satisfy your minds, that with wise and judicious management, it must for the future, be a source of revenue to the State. No additional call is made upon the Treasury for aid. Its own revenue will soon complete the necessary repairs, and equipments, and discharge its remaining liabilities.

I call your attention to the recommendations, contained in the Superintendent's Report, founded as they are upon his experience in the management of the Road—they should receive your careful consideration. The Act of the last Legislature which authorized the Road to be sued in any County through which it passes, ought to be modified. I can see no good reason, why this discrimination should be made against the State Road. All similar companies have to be sued in the county in which their principal office is located. This is right and proper. It is the place where their books are kept, and their business transacted, and therefore the proper point for the litigation of claims against them. It is problematical, whether the State should submit to being sued at all—but certainly she ought not to embarrass her officers with burthens not imposed upon other companies. The Road passes through Counties belonging to three judicial districts, and it might happen that the Superintendent would be sued and required to attend Court in different Counties at the same time. This consideration alone, shows the propriety of a change in the law. In this connection, I call your attention to the fact, that suits have been commenced against the Road in the State of Tennessee. I have directed pleas to the jurisdiction of the Court, to be filed in all such cases; and the question, if decided against us, to be carried to the highest Court of the country. We have a right to complain of this proceeding on the part of our neighbors, as it was principally to gratify them, that the doors of our own Courts were thrown open to claimants against the State Road. If the Courts should maintain their jurisdiction in the State of Tennessee, and the Road subjected to the trouble and annoyance of this litigation, it will devolve upon the Legislature to determine what course they will adopt in reference to the Western terminus of the Road, that will most effectually put a stop to such proceedings.

The important question for your consideration in connection with this great work is, what shall be the future policy of the State in reference to it? Realizing the deep interest felt by our people in the decision of this question, I submit to you my views fully on the subject.

By some, a sale of the Road is proposed. I trust, however, that the advocates of this policy are not numerous, and I feel certain that their number will be lessened, in pro-



portion as you satisfy the public mind that the Road can be successfully carried on, under State management. To sell the Road, would be to disappoint that general expectation which has so long looked to the completion of this enterprise for a source of reliable revenue to the State. The funds raised by the sale, could not be appropriated to the extinguishment of the public debt, as that is not due. There is no profitable investment of it that could be made, and the result would be, that by the time the public debt had to be met, this fund would have been exhausted in wasteful and unnecessary expenditures. Increased taxation would then be the only means of meeting the liabilities of the State. I feel confident that no argument is required against a policy which will inevitably lead to such a result. The proposition to sell two-thirds of the Road, is equally, if not more objectionable. The same consequence would follow, to a great extent. Besides, it is the unvarying lesson taught by our experience, that the State is the sufferer in every co-partnership which she forms of this character. The Road should either be under the entire control of individual interest, or under the exclusive management of the State. A departure from this rule, would certainly lead to no good result. and I trust that the experiment will not be made.— Rejecting then the proposition to dispose of the Road, I recur to the enquiry, what is the best policy for its future government? In the management of a Rail Road, two ideas should be kept prominently in view, uniformity and permanency in its system, and a responsible head to manage and control its affairs. Frequent changes, and divided responsibility, are incompatible with the successful operation of any Rail Road. Looking to these considerations, I feel conscious of the difficulties which must attend any plan which has as yet been suggested for the government of the State Road, but the preference should be given to that system which is freest from these objections. The two plans which have been most generally considered, are, first, the present one which leaves the Road under the control of the Executive and a Superintendent, appointed by him.— The other, proposes to constitute a board of Commissioners and invest them with the power, now lodged in the hands of the Governor. My own mind at one time favored the latter proposition. Experience and observation, however, have fully satisfied me, that it will not do. The idea of a board of Commissioners was derived from the board of Directors appointed by private corporations, for similar duties; and the argument drawn by analogy from this source would be good, if these Directors discharged the duties, which the public suppose them to perform; such, however, is not the fact. The best Board of Directors for a Rail Road Com-

pany, are those who have sagacity and judgment enough, to submit the entire management of their Roads to the President and Superintendent. In adopting a general system, for the management of a Road, their counsels may sometimes be heeded, with some advantage; but, when the detailed operations of the Road are to be considered and disposed of, the least said or done by them, the better it is for the interest of their company. If a Board of Directors should attempt to revise the dealings of a President and Superintendent with their subordinates, reinstating such as had in their judgment, been improperly removed, or forcing the appointment of others who they might suppose peculiarly qualified for some position, it would result in the total disorganization of the Road, and the effect would soon be felt by the Stockholders in reduced profits, neglected machinery, and dilapidated Road. Upon this point, I can safely appeal to the experience and observation of every man, who has been connected with a successful and well managed Rail Road. If this be true of private companies, the difficulties will be greatly enhanced, when the same principle is applied to a public work, when superadded to other causes of trouble and embarrassment, there is thrown in the political and party considerations, which would inevitably be connected with such a system. The subordinate officers on a Rail Road, who feel that they owe their places to any other cause, than a faithful discharge of duty, would soon derange and ruin the best managed Road in the country.— Under the proposed system of a Board of Commissioners, these difficulties could scarcely be avoided, and I therefore deem it unnecessary to enlarge upon this branch of the subject. According to this plan, there would also be wanting that uniformity in the management of the Road, which is essential to its success. With the change of Commissioners, the system would be changed, and all the consequences attendant upon such changes, would be constantly experienced. The present system is in my judgment, decidedly preferable; one great object at least is effected, a responsible head is placed in charge of the Road—to whom the country can look for its proper and faithful management. The Executive, elected by the people, is responsible to them. The Superintendent should be appointed by, and be responsible to the Executive; the subordinate officers should be appointed by, and be responsible to the Superintendent—and thus the management of the Road is placed upon a system of responsibility, which ensures its successful operation. In the appointment of the Superintendent, the Executive feels the responsibility which rests upon him, and will exercise a sound judgment in the selection. The Superintendent, knowing that he is responsible for the good conduct of his subordinates, will exercise like prudence and discretion, in

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their selection, and the subordinates feeling their dependence upon, and responsibility to the Superintendent, will realize the fact, that the tenure by which they hold their offices, is the faithful and efficient discharge of duty. In this view of the subject, you will perceive that there must be a cordial and mutual confidence between the Executive and the Superintendent, and for that reason the Superintendent should be appointed by the Executive. I therefore recommend that the Act of the last Legislature taking the appointment of this officer from the Governor and giving it to the Legislature, be repealed, and that the appointment be again placed at the disposal of the Executive. If the Road is to be continued under the State management, this in my opinion is the best practicable system that can be adopted.

Two leading objections are urged against this plan. The first is founded upon the fear that the subordinate posts on the Road will be regarded and filled as political offices.—Under my administration “this practice has ceased to exist.” Whatever may be thought or said about making governmental offices, political positions, in other departments, it is a well settled fact, that it will not answer in the management of Rail Roads, or similar State enterprises. Such a policy is condemned both by reason and experience, and can never be resorted to without endangering the public interest.—This truth is so clearly illustrated in the history of every State work, where the policy has been adopted, that I do not believe the experiment will again be made in our own State. The other objection is of a more serious character. It grows out of the changes in the management of the Road, incident, to the frequent change in the Executive office. I admit the force of this objection, and the only reply that can be offered, is founded on the fact, that the objection is applicable to every plan which has been or can be suggested for the government of the Road under State management.

In view of these difficulties, I submit to your consideration another plan, for the disposal of the Road, one which will secure the three great objects to be attained : first, the retention of the State's interest in the Road ; second, a uniform and permanent system for its management ; and third, a certain and reliable revenue from it. It is to lease the Road under an Act of incorporation. Let a charter be granted with a capital of five hundred thousand dollars in shares of a hundred dollars each. The charter should provide that the company, should make semi-annual payments to the State, and that the first failure should *ipso facto* work its forfeiture. The amount required to be paid by the company for its lease, should be at least five per cent on the capital invested by the State, which might be estimated at five millions of dollars. The charter should be for a limited time, and perhaps twenty-five years would be sufficiently

long. The company should be required to return the Road at the expiration of their lease in as good condition, and as well equipped, as when they received it. The improvements which the increased business of the Road require them to make, would afford a reliable guaranty upon this point. On the other hand the State should agree to pay the company for any increased value given to the Road by the improvements made by them. Provision should also be made in the charter, to protect connecting roads from a partial, and unjust administration of its affairs, under such penalties as would ensure perfect impartiality. I have fixed the capital of the company at half a million, supposing that to be sufficient for the ordinary improvements, which are still required to put the road in complete order. The Legislature could hereafter increase it, if the business of the road should require the laying of a double track.

In submitting this suggestion to your consideration, I have merely laid down the outline of a plan which might be perfected, if the policy recommended meets with your approval. If adopted, care should be exercised in guarding the interests of the State in any charter which may be granted, and that is submitted with great confidence to your wisdom and discretion. I beg leave to repeat, that the adoption of this policy will ensure a uniform and permanent system in the conduct and management of this great work. It will be brought under the operation of private enterprise and individual interest, without sacrificing the investment of the State. It will be relieved from the difficulties which I have shown must always more or less attend its management under State control, and finally ensure the regular receipt into the treasury of at least two hundred and fifty thousand dollars per annum.

#### THE PENITENTIARY.

I transmit herewith the reports of the Principal Keeper and Book keeper of the Penitentiary, which will exhibit to you its operations during the past two years. The officers of that Institution during that time have been faithful, and energetic in the discharge of their duties, and I believe that its business under their charge, will compare favorably with the business of preceeding years. Its assets at the end of the year will in all probability discharge its liabilities, and leave it free from debt. The business of the Penitentiary is not, and in my judgment never will be, a source of revenue to the State. The appropriations which have from time to time been made to meet its liabilities, show this fact. The gross amount of them is set forth in the Keeper's report. It now requires large appropriations to make the necessary improvements, and to furnish materials for its successful management. It is a subject which should secure more of

the personal attention of your members, than has heretofore been the case. An inspection of its condition will give you more satisfactory information of its true wants than any representation that I can make, and I would urge the propriety of your doing so, as it can be done with very little trouble to yourselves, and much benefit to the State. As you will perceive from the Keeper's report the business of building Rail Road cars has been commenced upon a pretty extensive scale. The experiment so far has proven eminently successful, indeed it has been the principal source of revenue since its commencement. For the want of the necessary means, an arrangement had to be made with the State road to furnish the materials for building cars, and as long as that road requires all the cars that can be built at the Penitentiary, this arrangement could be continued.— If the business, however, should be extended as recommended in the Keeper's report it will be necessary for you to supply the necessary means for the purchase in advance of materials, as the object should then be, to manufacture cars for all roads that may desire to purchase. It would also be necessary to authorize the employment of a Superintendent of this branch of the work, at a better salary than is now allowed to the subordinate officers. If a ready sale be found for the cars, I have no hesitation in saying, that it is the most profitable business that can be carried on in the Penitentiary.

The importance of classifying the prisoners in the Penitentiary, has been so repeatedly and forcibly presented to the Legislature by my predecessors, that I deem it unnecessary to enlarge upon the subject. It is again brought to your attention by the Principal Keeper's Report, and I would impress upon your minds the propriety of giving it your early attention. When this recommendation is based upon the concurrent opinion of every one who has been thrown into official communication with the Penitentiary, it should at least receive more consideration than has heretofore been given to it.

#### THE LUNATIC ASYLUM.

The biennial Report of the Trustees, Superintendent and Resident Physician of the Lunatic Asylum is herewith submitted. This institution has been conducted during the past two years with the characteristic energy and ability of its officers. I commend to your attention the suggestions and recommendations contained in these reports. Founded as they are upon the experience and observation of those who have shown themselves so worthy of the confidence reposed in them by the State, they should command your most favorable consideration. This institution was established by the State under the conviction that it was our duty to pro-

vide for the safety and comfort of that unfortunate class of our fellow beings, who had been deprived of their reason, and thereby rendered incapable of providing for themselves. This humane object will not have been accomplished, so long as there remains in the borders of our State one unfortunate lunatic unprovided for. It is a melancholy and humiliating reflection, that applicants for admission, are daily rejected for the want of the necessary means to provide for their accommodation. This ought not to be so. I hold it to be the solemn duty of those who have been spared from this awful calamity to furnish from their treasure whatever may be required for the support and comfort of their less fortunate fellow beings. I cannot believe that there lives in our State a single citizen, who would not give a cordial response to this sentiment. The necessities of this Institution, is therefore the only just limit to your appropriations. When you ascertain its wants, let them be supplied, your hearts will approve the act, and your constituents will sanction the vote.

There is one class of lunatics for whom no provision is made in the organization of this institution. I allude to our slave population. This omission, I have no doubt, is attributable to the fact, that the number is so limited that it has not attracted public attention. There are, however, a few; and suitable provision should be made for them. The first suggestion would be to leave this matter in the hands of the owners, after providing a place at the Asylum for their reception.— This will not do, however, as it sometimes happens that the unfortunate lunatic is the only property of the owner; and he is therefore unable to support him at the Asylum. It would perhaps be wrong to tax those who have no interest in slaves, to raise money for this purpose. The amount which should be raised for this object, would be small, and if levied upon the taxable slave property, would not be felt by the owner. Looking to the number of lunatic negroes, it would require only a nominal tax upon this kind of property to raise the necessary means. I can see no good reason why every slave owner should not cheerfully submit to this tax, to carry out so desirable and praiseworthy an object. I therefore recommend that proper steps be taken at your present session to carry out these views in the manner suggested.

#### DEAF AND DUMB ASYLUM.

The report of the Commissioners for the Deaf and Dumb Asylum for the years 1852 and 1853 is herewith transmitted. The success of this institution is a gratifying result, and should secure for it the continued patronage of the State.— Your predecessors have by by their liberal endowments recognized the duty of the State to provide for the education

of the unfortunate mute, and it would be difficult for the Legislature to appropriate the money of the people to an object that would receive a more unqualified approval from the popular mind. I, also, transmit the report of a committee appointed by myself to attend the annual examination of 1852. It bears testimony to the faithful and efficient discharge of duty by the officers of the institution. Its recommendations are commended to your consideration, as worthy of attention in your legislation on this subject.

#### THE INSTITUTION FOR THE BLIND.

I transmit to you the first annual report of the Trustees for the "Georgia Academy for the Blind." This institution was organized under an Act of the last Legislature, and is now struggling through its infantile existence. It has encountered the difficulties which have attended all similar institutions, and in view of these difficulties, its efforts have been attended with as much success as could have reasonably been anticipated. It has shown itself worthy of the fostering care extended to it by your predecessors, and should continue to receive your patronage and encouragement.—The appeal in behalf of the blind—like that made for the deaf and dumb—addresses itself to our better feelings.—The heart would be callous and hardened, that could treat that appeal with indifference. Those of us who have been endowed by a kind Providence with all the attributes of manhood, unimpaired by disease or misfortune, have resting upon us an obligation in reference to our less favored brethren, which we cannot disregard. In establishing and maintaining these different institutions, the people of Georgia have exhibited their appreciation of this high duty.—The success which has attended these efforts, should only stimulate us to renewed exertions and more liberal contributions.

#### GEORGIA MILITARY INSTITUTE.

At the last session of the General Assembly, provision was made by law for the education of a certain number of cadets in the Military Institute, located at Marietta. A report is herewith transmitted from the Board of Visitors of that institution, which will present to the Legislature all the information on that subject in my possession. The system of military education is growing in popular favor throughout the country. In other States of the Union, these academies receive liberal endowments from the Government, and are becoming more and more the favorites of the people.—So far as I am enabled to judge, the Marietta Institute has been as eminently successful as any of its sister institutions, and as deserving of State patronage.

## EDUCATION.

The cause of Education numbers among its friends, no supporters more zealous or liberal than the people of Georgia. It is with sincere pleasure and honest pride, that we can point to the progress of education throughout our State. Our University was never in a more flourishing condition, and never more deserving of the confidence and patronage of the State. Other colleges have sprung up in generous rivalry with this institution, under the patronage of private enterprise, affording the most extensive facilities for a liberal education to all who may be possessed of the necessary means. Colleges and Seminaries for the education of our daughters are to be found in almost every neighborhood, founded upon private munificence, and conducted with marked energy and ability. I would not unnecessarily mar this picture, so grateful to our feelings, and so gratifying to our State pride ; but a sense of duty demands that our attention should be turned to another branch of the subject, which presents for our consideration far different results.— Whilst the minds of those, who have been blessed with the necessary means, are being stored with all the rich treasures of knowledge, placed in their reach by these flourishing institutions, there is to be found another class, less favored of Heaven, who are growing up in utter ignorance. The propriety of providing for the education of the poor is recognized by every one ; but I am not sure that its importance is fully appreciated. I do not speak of that complete and finished education, which can be acquired only in our higher Seminaries and Colleges, but I refer to it in its more limited sense: The man who can read and write is a well educated man, in comparison with one, to whom the alphabet is an unmeaning mystery ; and the gulf that separates these two classes is far wider and deeper than the one which lies between the humblest scholar and the most learned Professor. Give to every son and daughter of the State an opportunity of learning to read and write, and we become that day an educated people, for all the practical purposes of government. The honesty, purity and intelligence of the people, constitute the firm foundations of a Republican Government. To the extent of our ability, it is our duty to foster and nurture these elements of security and strength. Georgia has, in some degree, realized this truth, and exhibited a disposition to act upon it. Her ablest sons have been summoned to the task of devising systems for the education of the poor, and our legislative tables groan under the accumulated reports of committees appointed to investigate and report upon the subject. All that could be done in this way has been done, and yet the sons and daughters of poverty are unprovided with the opportunity of learning to read and write.— Can nothing more be effected? Is this field of labor, so



inviting to the patriot and philanthropist, to be abandoned and forsaken? To answer these inquiries, we must ascertain first, what has occasioned the failure heretofore? and, secondly, are we able and willing to overcome the difficulty in the future? The first point is very clearly presented in the statement of this simple fact—the number of children returned under our poor school law, is (38,000,) thirty-eight thousand, and the money, appropriated for their education, is (\$23,000.) twenty-three thousand dollars. In other words, for the education of each child, the Legislature appropriates the sum of sixty cents. I can use no argument or language that will present in more forcible terms the main defect in our past system, than is to be found in this statement. We have failed to educate the destitute children of the State, because we have failed to appropriate a sufficient sum of money to effect the object. It is more than useless to discuss plans and systems, until the necessary means are furnished to make any plan successful. This view of the subject brings me to the second inquiry. Can this difficulty be met and overcome? In other words, will the Legislature appropriate the necessary amount of money? At present, I am not prepared to recommend any large increase of the appropriation. My object is more particularly to call your attention to a period in the future, when the required sum can be devoted to this object, without the imposition of any additional tax upon the people. If I am right in the views which I have already presented of the financial condition of the State, present and prospective, in the course of a few years the public debt will be paid off, and there will be no necessity for incurring another. When that time shall have arrived, our present tax law may be reduced one-half, and still furnish ample means for an economical administration of the Government—giving no just cause of complaint on the ground of taxation. The State Rail Road, under the system I have recommended, will bring into the Treasury a certain and regular revenue of two hundred and fifty thousand dollars. To that sum I look, to supply the present defect in our educational system for the poor. To that patriotic object, as well as to the necessities of the Institutions established by the State for the Deaf and Dumb, the Blind, and the unfortunate Lunatic, it should be sacredly devoted; and until the wants of each and all should have been fully supplied, not one dollar should be withdrawn for any other purpose. I have invited your attention to the subject at this time, that the public mind may be directed to its consideration in advance of the period when the policy may, with propriety, be adopted.

## PUBLIC PRINTING.

I call your attention to the law on the subject of the public printing. It is defective in many respects, and requires Legislative action. The great delay that occurred in the printing of the Laws and Journals of the last General Assembly, should not be permitted to occur again. Under the law as it now stands, there will always be more or less danger of its recurring. In the estimation of many persons, the Executive is held partly responsible for such delay, and yet he is powerless to prevent it. Provision should be made by law, that the public printing should be done at the seat of Government, under the eye and supervision of the Executive; and he should be clothed with power to transfer it from the hands of the public printer, whenever he fails to complete it in a given period, to be fixed by law. Whenever there is unnecessary delay, the Executive should be authorized and required to make such deductions as the exigency, in his judgment, justifies; and similar power should be lodged with him, in case the printing is not executed in manner and style required by law. It should be made the duty of the Secretary of State to compare the printed laws before their final publication, with the enrolled Acts in his office, and proper compensation should be allowed him for the discharge of this duty. The style and execution of the printed Acts should be improved. The Act of 1834 required them to conform to the laws of the United States, as at that time published. Since then, great improvement has been made in the printing of the laws of the United States, and we should, in this respect, keep up with the progress of the age.

## ANNUAL SESSIONS.

The experiment of biennial sessions of the General Assembly, has been sufficiently tested by experience, and I believe that the public judgment of the State is prepared to pronounce against it. I was among the number of its advocates, and so voted, when the question was submitted to the people for their decision. I am now satisfied that, in common with a large majority of my fellow-citizens, I was wrong, and am prepared to recommend a return to annual sessions. Even if the policy of biennial sessions was right at the time of its adoption, the increased interest and important public works of the State have wrought such a change in our affairs, that a different system is now required for our progressed and progressing condition. A single consideration should satisfy every man of the propriety of annual sessions. At present, all power is placed in the hands of the Executive for two years, and his term expires, and the people are called upon to pass judgment upon his official career, before his actings and doings can be submitted to the

test of legislative investigation. He cannot be called upon for an exposition of his official doings until the General Assembly meets, and that does not take place until his term of office has expired, and he has either been re-elected or defeated, or has voluntarily withdrawn from the public service. This is wrong in theory, and might work much injury in practice. It was an economical view of the subject, which induced the people to resort to biennial sessions; but it may well be questioned, whether the result has justified this expectation. The fact that the General Assembly meets only once in two years, renders it necessary to extend the length of the session. The accumulated business of the two years must be disposed of, and additional time is required to do it. In order that the people may have an opportunity of passing their judgment upon this subject, I recommend that an Act altering the Constitution be passed by the General Assembly at its present session, and the question submitted to the people at the next general election. If approved by them, your successors can perfect the alteration, and if condemned, the Act can then be rejected. An opportunity will thus be offered of having the question decided by the direct action of those most deeply interested in the matter.

#### ATTORNEY GENERAL.

My experience in office has brought vividly before me the fact, that innumerable occasions occur, where the Executive, on account of the varied and increasing interests of the State, requires the mature and deliberate counsel of persons skilled in the law. The hurried and off-hand opinions of the best lawyers are worth but little under such circumstances; and the separate, solemn advice of feed counsel on every such question, would be a heavy draw upon the contingent fund. My own conviction is, that an officer, known as the Attorney General of the State of Georgia, with such a salary as would command the best counsel in the State, would meet the necessity of the case. To the general duty of advising the several Executive Departments of the Government, might be added with propriety, the representing and advocating the interest of the State in all questions arising before our Supreme Court. The duties of such an officer, it is unnecessary for me to specify. The necessity and propriety of such an office, will be felt by every one occupying the Executive chair.

#### THE SUPREME COURT AND STATE LIBRARY.

At the time the Supreme Court was established, the idea prevailed that the convenience of the parties litigant required that the Court should hold its sessions at points accessible to them. For that purpose, it was provided in the law or-

ganizing the Court, that it should sit at nine different places. Experience has shown that this was a mistaken view of the subject, as the parties seldom, if ever, attend the Court.— Their attendance is not necessary, and they, therefore, stay away. No one will question the fact, that this migratory feature is attended with great inconvenience to the members of the court. If this was the only objection to it, it might be borne with; but it deprives the Court of the advantage of consulting good libraries, which are not to be found at many of the points where it is now held. Without attempting to present the many reasons which might be urged in favor of the change, as they will readily suggest themselves to your minds, I recommend that the places for holding the Court be reduced to the number required by the Constitution.— Looking to the future permanence and usefulness of this Court, I think it advisable that the Constitution be so amended, as to authorize its entire sittings at the seat of government. I can see no good reason why it should be otherwise. The docket of the Court could be so arranged for each of the Judicial Districts, so as to enable counsel to attend to their cases with as much convenience at Milledgeville as at any other point.

In this connection, I call your attention to the condition of our State Library. For many years, the Library has been totally neglected, and almost lost sight of by the Legislature. The last General Assembly made an annual appropriation of a thousand dollars for it. This amount, regularly continued, with the system of exchanges with the other States, would, in the course of a few years, furnish a State Library, of which we might not be ashamed. The small salary given to the Librarian will not secure the services of a competent officer, unless the appointment is connected with some other office, as has been done during the last two years. The Librarian's report is herewith communicated. It will show the condition of the library—its increase since I came into office, and also, the regulations I have adopted, to preserve it from its former fate. It cannot be necessary for me to submit an argument to the Legislature in favor of obtaining and keeping a good State Library. State pride, if there was no other consideration, would make an appeal in its favor, that ought not to be disregarded. Its propriety and usefulness, however, are too apparent to require further comment. I confidently commend to your favorable consideration the policy adopted by your immediate predecessors on this subject.

#### MISCELLANEOUS SUBJECTS.

A vacancy occurred on the Supreme Court bench during the present year, by the resignation of the Hon. Hiram Warner, which I filled by the appointment of the Hon. Ebenezer

Starnes. There have been several vacancies, occasioned by death and resignation, on the Circuit Court bench, but as they are no longer filled by the Legislature, it is unnecessary to specify them.

The creditors of the Bank of Darien have been for years applying to the State for the liquidation of their claims, holding, as they do, that the State is liable for them.— It is time that this matter should be disposed of, and I recommend that some provision be made by the present General Assembly for the final settlement of these claims, either by submitting the questions involved to the decision of the Courts, or some other tribunal to be selected by the Legislature, and agreed to by the parties in interest.

I was directed by a resolution of the last General Assembly, to withdraw the block of marble, which had been furnished for the Washington Monument from this State, on account of the objectionable inscription upon it, and to provide another in its stead, with the simple inscription of the Arms of the State. Finding that the object of the Legislature could be carried out by an alteration of the inscription on the block already furnished, I adopted that course, as the most economical and appropriate under the circumstances.

By joint resolution of the last General Assembly, I was required to appoint a commission to examine and report to the present Legislature on the claims of William Q. Anderson, Thomas Anderson and Richard J. Willis, securities of John R. Anderson, on his bonds, as Cashier and Agent of the Darien Bank. I appointed Charles Dougherty and William Hope Hull, Esqs., and herewith transmit to you their report upon the subject.

My predecessor informed the last General Assembly, that the question of boundary between Florida and our own State, had been submitted to the Supreme Court of the United States, and that he had engaged the services of the Hon. John M. Berrien, as the Attorney of the State. At the instance of Judge Berrien, I associated with him the Hon. George E. Badger, having been authorized by resolution of the last Legislature to employ additional counsel in the case. The case is still pending, and will probably be decided at the approaching term of that Court.

A question of boundary between South Carolina and Georgia has arisen since the adjournment of the last General Assembly. The correspondence between the Governor and the Attorney General of South Carolina and myself on that subject is herewith transmitted. My views are so fully presented in that correspondence, that I deem it unnecessary to add anything in reference to it. I recommend that the suggestion contained in the last letter of the Attorney-General of South Carolina be acceded to, and that provision be made for submitting the question of boundary to the decision

of the Supreme Court of the United States. It presents the most satisfactory mode of settling a dispute, which, if left unadjusted, might, at some future day, lead to unpleasant consequences.

By a joint resolution of the General Assembly, I was directed to appoint "two suitable persons as delegates from this State to attend a convention of delegates from the Thirteen Original States," which was held in Philadelphia on the 5th of July, 1852. I appointed the Hon. Marshal J. Wellborn of Columbus, and the Hon. Asbury Hull of Athens, who accepted the appointment, and their report of the action of the convention is herewith transmitted. The object for which this convention assembled, and the mode by which that object is to be consummated, are so fully and satisfactorily presented in the accompanying report, that I do not feel called upon to do more than ask for it your careful consideration. It is no local or sectional movement in which the people of Philadelphia and Pennsylvania alone are interested. It was prompted by a national sentiment as broad as the Union—and a spirit of gratitude and veneration as deeply implanted in the hearts of the American people, as are the memories of our revolutionary struggles. Georgia has participated so far with commendable zeal and patriotic ardor in this noble enterprize, and I doubt not that every step of its future progress will be marked with the evidences of her liberality.

The last General Assembly passed a joint resolution, authorizing me "to erect, on the public grounds, near the State House, a suitable monument to the memory of our late distinguished fellow-citizen, Hon. J. Forsyth, and pay for the same out of the money appropriated for the purpose by the Act of the Legislature, approved February 23, 1859." The proposition contained in this resolution, meets my cordial approval. No one entertains a higher appreciation of the services and brilliant career of Mr. Forsyth than myself, and it would have given me sincere pleasure to have carried out the intention of the Legislature, if it could have been done. The amount of the appropriation is wholly inadequate for the contemplated object. A monument erected on the State House square, to the memory of Mr. Forsyth, should not only be creditable to the State, but worthy of the distinguished dead; such a monument cannot be obtained for one thousand dollars. For this reason, and for this reason alone, I have taken no steps to carry out this resolution, and I now recommend that the appropriation be increased to a sum that will secure such a monument as the occasion calls for—a monument worthy of the State of Georgia, and worthy of the distinguished defender of the Constitution and Union of our fathers.

We have just had our first judicial elections, under the

law giving those elections to the people. The policy of the law has been vindicated, and it presents an appropriate occasion for recommending an extension of its provisions to the remaining cases of State officers elected by the Legislature.

Our election laws need amendment. The duty of deciding upon the returns of many elections is, by implication, devolved upon the Executive. No rules, however, are prescribed for his government. This should be remedied by the passage of an Act, plainly defining his duty, power and mode of procedure.

The great number of laws which have been passed on the subject of the lands belonging to the State, has involved that subject in great difficulty. Many of these laws were of a mere local character; but their application being general in the terms of the statute, has produced a contrariety of provisions, difficult to reconcile. The whole subject needs thorough and radical legislation, and I trust it will receive your consideration during the present session. For the disposition of the remaining ungranted lands of every description, that have been regularly surveyed, I would recommend that the policy of the Act of 1843 be adopted. Experience has proven it to be by far the most economical and satisfactory mode of disposing of the public lands.

The slow but steady development of the mineral resources of our State, should bring to your attention the importance of providing for a thorough geological survey of the State. Other departments of interest would be greatly benefited by it, and I recommend that ample provision be made for that purpose.

I was requested by resolution of the Senate of the last Legislature, to make the alterations and arrangements in the Senate Chamber, rendered necessary by the increased number of that body. It has been attended to, and a portion of the expense paid out of the contingent fund. No special appropriation was made to carry out this resolution, and it now becomes necessary for you to make an early appropriation to pay the balance due to Mr. Lord, the contractor. As he was among the unfortunate number who suffered severely from the late fire in this city, I would urge upon you the justice of providing for the immediate settlement of his account.

Your attention has doubtless been arrested by the destructive character of the fire to which I have just alluded. The individual sufferers make no appeal to you for relief;—but it is in your power to render essential aid, not only to them but to the whole community, by decisive action upon the subject of a removal of the seat of government. The constant agitation of that question has paralyzed the energies of the people of Milledgeville, and crushed their spirit of enterprise. The future prosperity of their city is involved

in it, and so long as it remains an open and unsettled point, the effect will be felt and seen in the downward tendency of every interest connected with the prosperity of the city.—Ample time has been allowed for ascertaining the popular will on the subject, and legislative expression should now be given to the judgment of the people. It is due not only to this community, but also to the future comfort of those, who may be officially called to spend a portion of their time at the Capital. Such arrangements as are necessary to make Milledgeville a pleasant residence for the members of the General Assembly, and others called here by public business, can never be made, until it is known that the seat of government will not be removed. Whatever, therefore, may be the public will on this subject, let it be made known in such an authoritative form, as will relieve all doubt and anxiety in reference to it.

#### FEDERAL RELATIONS.

I herewith transmit a communication from the State Department of the Federal Government, accompanied with a copy of a "Consular Convention between the United States of America and his Majesty the Emperor of the French."—Your attention is called to the seventh article of the convention.

I herewith transmit the resolutions of various State Legislatures, which have been forwarded to me.

Since the last session of the General Assembly, an occurrence has transpired, in which Georgia, though not directly a party, is, in my judgment, deeply interested, and to which I deem it my duty to call your attention. A citizen of Virginia, on his way to Texas with slaves, is, by force of circumstances, compelled to take a temporary transit through the city of New York. Upon *habeas corpus*, before Judge Payne of that State, the negroes were declared free, and the citizen deprived of his property. Though indemnified tully, I believe, by voluntary subscription, yet the principle involved in the decision is one of vast importance and of startling tendency, in which the interest of Mr. Lemmons becomes insignificant, and the interest of every slaveholding State paramount and equal. Virginia and Texas have no deeper interest than Georgia and Alabama. It is understood that an appeal has been taken from the decision, to the appellate court of New York, and it is probable that the final adjudication of the question involved will be made by the Supreme Court of the United States. The deliberate determination of any question by that tribunal, commands and should receive, the respect of the country, and constitutes a precedent controlling subsequent cases. The principles involved in the decision of Judge Payne will be better considered in a court room than in a document like the present



It is not my purpose, therefore, to submit an argument on the correctness of that decision. If this is the law, it is the first time that it has been solemnly thus pronounced in a case made before any tribunal within my knowledge. If it be true that the citizens of the slave-holding States, who, by force of circumstances, or for convenience, seek a passage through the territory of a non-slaveholding State, with their slaves, are thereby deprived of their property in them, and the slaves *ipso facto* become emancipated, it is time that we know the law as it is. No court in America has ever announced this to be law. It would be exceedingly strange if it should be. By the comity of nations, the personal *status* of every man is determined by the law of his domicil; and whether he be bond or free, capable or incapable *there*, he remains so *every where*, until a new domicil is acquired.— This is but the courtesy of nation to nation, founded, not upon the statute, but is absolutely necessary for the peace and harmony of States, and for the enforcement of private justice. A denial of this comity is unheard of among civilized nations, and if deliberately and wantonly persisted in, would be just cause of war. Can it be possible that the courtesy yielded by independent nations to each other, can be rightfully denied by one of these States to the others? Is the bond of Union an authority or reason for a course of conduct so unjustifiable without that bond? Did the framers of the Constitution, so wise and so provident as to all other possible causes of disturbance between the States, permit so pregnant a source of discord to pass unheeded and unprovided for? In yielding our right to make treaties and to declare war, have we left ourselves remediless in cases of palpable violation of the law and comity of nations? The adjudication of these questions by the tribunal organized under the Constitution, cannot be viewed with indifference by us.— Every slaveholding State should be heard before that tribunal. I, therefore, recommend that in the event of the Lemmons case being carried before the Supreme Court, the Executive be authorized to employ able counsel, in behalf of the State of Georgia, to be heard before that court, upon these questions.

The general condition of our Federal relations presents a flattering prospect. Since the happy termination of those angry sectional strifes, which, for a time, threatened our peace and quiet, the country has returned to a state of calm repose, and all the indications of the present, point to a happy, peaceful and prosperous future.

HOWELL COBB.

Mr. Clark offered the following resolution :

*Resolved*, That one hundred and fifty copies of the message

just read, and the accompanying documents, be printed for the use of the House ; which was agreed to.

Mr. McDougald offered the following resolution ; which was agreed to :

*Resolved*, That the clerk be directed to inform the Senate, that the House will be pleased to receive them at half-past three o'clock this day, in the House of Representatives, for the purpose of counting out and adding up the votes for Governor at the last election.

On motion of Mr. McWhorter, the House adjourned until 3 o'clock this evening.

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### THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. McDougald introduced the following bill, to-wit :

An Act entitled an Act to alter, change and amend the third section of the first clause of the Constitution of this State, by striking out "bi-ennially," and inserting in lieu thereof, the word "annually ;" which was read the first time.

Mr. Pottle offered the following resolution :

*Resolved*, That Friday, the 11th day of November instant, be set apart for the election of a Solicitor General of the Coweta Circuit ; also, for a Judge of the Court of Common Pleas of the city of Savannah ; which was received, taken up and adopted.

On motion of Mr. Pottle, the clerk was directed to communicate to the Senate the adoption of the foregoing resolution immediately.

On motion of Mr. Clark, the Clerk was directed to inform the Senate, that the House of Representatives are now ready to receive them in their chamber for the purpose of counting out, adding up and consolidating the votes polled at the last Gubernatorial election.

The President and members of the Senate attended in the House of Representatives, and the General Assembly proceeded to examine and count the votes returned from the several counties in this State for Governor ; and on counting up and consolidating the same, it appeared that the Hon. Herschel V. Johnson had received forty-seven thousand six hundred and thirty-eight votes, and that the Hon. Charles J. Jenkins had received forty-seven thousand one hundred and twenty-eight votes—that the Hon. George R. Gilmer had received five votes, and that the Hon. John M. Berrien had received one vote. The Hon. Herschel V. Johnson, having received a majority of the whole number of votes given in, was,

therefore, declared to be duly elected Governor of this State for the ensuing two years.

The President and members of the Senate then withdrew.

On motion of Mr. Clark, it was

*Resolved*, That a committee of five be appointed by the House, to join such committee as may be appointed on the part of the Senate, to wait upon the Hon. Herschel V Johnson, and inform him of his election as Governor of this State, and request his acceptance of the same.

Whereupon, the Speaker appointed Messrs. Clark, Cleveland of Habersham, Stapleton, Redding and Harrison, that committee.

On motion of Mr. Clark, the House adjourned until tomorrow morning, at 10 o'clock.

WEDNESDAY, NOVEMBER 9th, 1853.

The House met pursuant to adjournment.

The following Message was received from the Senate, by Mr. Moore, their Secretary, to-wit :

*Mr. Speaker*—I am directed by the Senate to inform the House of Representatives, that they have agreed to a resolution, appointing a committee of three, to join a committee on the part of the House. to wait upon the Hon. Herschel V Johnson, and inform him of his election as Governor of Georgia, and to ask his acceptance.

The committee appointed by the Senate are, Messrs. Hull, Clark and Green.

I am further directed to inform the House, that they have agreed to a resolution bringing on the election of Comptroller General, Surveyor General, Secretary of State, Solicitor General of the Coweta Circuit, Judge of the Court of Oyer and Terminer of the city of Savannah, and Director of the State Bank of the State of Georgia, on Friday next, the eleventh instant, and ask the concurrence of the House in the same.

The following message was received from his Excellency the Governor, by Mr. Hood, his Secretary :

*Mr. Speaker*—I am directed by his Excellency the Governor, to lay before the House of Representatives several communications in writing.

On motion of Mr. McDougald, the several communications were taken up and read as follows :

EXECUTIVE DEPARTMENT, }  
Milledgeville, Nov, 9th, 1853. }

I herewith transmit to the General Assembly a communi-

cation from the State Treasurer, containing his reasons for not making the investment required by the Act of 22d January, 1852, to provide for the education of the poor.

(Signed)

HOWELL COBB.

—  
EXECUTIVE DEPARTMENT, }  
Milledgeville, Nov. 9th, 1853. }

By the Act of the 8th January, 1852, provision was made for taking the census of the State for that year. In conformity with the provisions of that Act, the census returns have been made to this office from all the counties except Camden, Clinch and Glynn. A portion of the census takers from the counties of Appling, Cobb, Elbert, Laurens, McIntosh, Newton and Wayne, applied for their compensation after the appropriation for their payment had reverted. It will be necessary for you, at your present session, to make an appropriation to meet their cases. And I herewith transmit a statement of the amount due to each of such persons, certified to by one of the Secretaries of this Department. This Act requires that these returns should be laid before the present General Assembly. As there is but one return made from each county, it is impracticable to lay them before each branch of the Legislature, I have therefore determined to place before you the foregoing information, and await your direction on the subject.

HOWELL COBB.

—  
EXECUTIVE DEPARTMENT, }  
Milledgeville, Nov. 8th, 1853. }

I return to the House of Representatives, where it originated, a Bill "to regulate practice" in Courts of Law and Equity, and define "the powers of the same." This Bill passed the last General Assembly too late for my action before the adjournment, and I now return it with my reasons for withholding my signature. My principal objection to this bill was to the first section of it. It sought to restrain the judges of the Superior Courts from the exercise of a very salutary power. My experience and observation in court had satisfied me that the judges ought to have the power to prevent the waste of time, and the delay of business, by limiting the number of counsel who should argue cases.—The passage of this law would have placed the courts in the power of the lawyers, under circumstances where that power could be exercised to the great delay of public business, and in some instances to the denial of justice. Under our system of electing judges by the people at regular intervals there will be no difficulty in restraining the judges from a

wanton and tyrannical exercise of this power, now very properly committed to their discretion.

(Signed)

HOWELL COBB.

On motion of Mr. Harrison, the Clerk was directed to inform the Senate of the appointment of a committee on the part of the House, to wait upon the Hon. Herschel V. Johnson, the Governor elect, and inform him of his election, and request his acceptance.

The committee appointed were Messrs. Clark, Cleveland of Habersham, Redding, Harrison and Reynolds.

The following message was received from the Senate, by Mr. Moore, their Secretary :

*Mr. Speaker*—I am directed by the Senate to inform the House of Representatives, that they have agreed to a resolution appointing a committee on the part of the Senate, to join the committee on the part of the House, to make arrangements for the inauguration of the Governor elect.

The committee on the part of the Senate are, Messrs. Morris, Miller, and Sturges.

On motion of Mr. McDougald, the message was taken up and concurred in. Whereupon the Speaker appointed as a committee on the part of the House, Messrs. McDougald, Hardeman, Crawford of Cass, Walton of Richmond, and Arnold of Pike.

On motion of Mr. McDougald, the Clerk was directed to inform the Senate that the House has concurred in the resolution of the Senate, appointing a committee to make arrangements for the inauguration of the Governor elect.

The committee appointed to wait upon the Governor elect to inform him of his election, &c., reported that they had performed their duty, and that the Governor elect accepted the office, and would be ready to be inaugurated this day at 12 o'clock, M.

The House then took a recess of half an hour.

The House again convened, and on motion of Mr. McDougald, the Clerk was directed to inform the Senate that the House of Representatives are now ready to receive them in their chamber for the purpose of proceeding with the inauguration of the Governor elect ; which duty was performed at 12 o'clock, M. The President and members of the Senate attended, and being seated, the Governor elect was introduced by the joint committee, attended by the State House officers, the Judges of the Supreme Court, Reporter and Clerk, the Judges of the Superior Courts, members of Congress, ex-Governors, ex-members of Congress, and other distinguished visitors and citizens, when he addressed the General Assembly and took the oath prescribed by the Constitution of this State. The Governor, attended by the

Committee, having withdrawn, the President and members of the Senate repaired to their chamber.

On motion, the House then adjourned until 10 o'clock tomorrow morning.

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THURSDAY, NOVEMBER 10th, 1853.

The House met pursuant to adjournment.

On motion of Mr. Reynolds, the rules of the House were suspended for the purpose of proceeding with the call of the counties.

Mr. Hardeman of Bibb, reported

A bill to be entitled an act to incorporate the Brunswick Improvement Company; which was read the first time.

The following message was received from the Senate, by Mr. Moore, their Secretary-

*Mr. Speaker*—The Senate have agreed to a resolution, excluding certain subjects from legislation, and that the General Assembly will adjourn on Saturday, the 19th December next, *sine die*, in which they ask the concurrence of the House of Representatives.

Mr Pottle reported

A bill to be entitled an act to amend and alter the 30th section, 10th division of an act to reform, amend and consolidate the penal laws of the State of Georgia, approved December 23d, 1853; which was read the first time.

Mr. Martin reported

A bill to be entitled an act to provide for the payment of certain census takers of this State, therein named; which was read the first time.

Mr Haynie reported

A bill to be entitled an act to refund the taxes collected by the State of Georgia, from the Rome Rail Road Company; which was read the first time. Also.

A bill to be entitled an act amendatory of the several acts incorporating the city of Rome; which was read the first time.

Mr. Pickett reported

A bill to be entitled an act to open and construct a Rail Road from the Western and Atlantic Rail Road, commencing at some point between Marietta and Calhoun, to be determined by a majority of the stockholders herein incorporated, and thence the most practicable route by Ellijay in Gilmer county, to or near Fighting Town Creek, at the Copper Mines in the county of Gilmer; which was read the first time.

Mr. Champion reported

A bill to be entitled an act to authorize the School Com-

missioners of the county of Greene to pay to Mary A. Hargrove and others, the amount of money due them for teaching the poor children of Greene county, for the year 1852 ; which was read the first time.

Mr. Cleveland of Habersham reported

A bill to be entitled an act to prevent driving any horned cattle of the cow kind, from any of the districts or counties of the State of South Carolina, or State of Alabama, or any county in this State, southeast or southwest of Habersham county, or from that part of said county of Habersham, which lies southeast of what is known as the Chattahoochee ridge, which runs through said county, or any other portion of the country, that may be infested with distemper, into the county of Habersham, and to prevent the driving of such cattle and oxen from said county to distempered places, and the driving the same cattle back to said county of Habersham, between the 15th day of April and the 1st day of October, in each year ; which was read the first time.

Mr. Stapleton reported

A bill to be entitled an act to incorporate the McDonough Collegiate Seminary, and to prohibit retailers from giving, selling or furnishing minor students, any quantity of spirituous liquors, without written permission from parents or guardians ; which was read the first time.

Mr. McDougald reported

A bill to be entitled an act to alter and amend the 13th section of the 2nd article of the Constitution, by striking out the words "appointed in the same manner and at the same session of the Legislature," and inserting in lieu thereof, "shall be elected by persons entitled to vote for Governor at such time and in such manner as the Legislature shall, or may by law direct;" which was read the first time. Also,

A bill to be entitled an act to alter and amend the 3rd section of the 3rd article of the Constitution, by striking out the words "appointed by the Legislature," and inserting in lieu thereof, the words "elected by persons entitled to vote for members of the Legislature at such time and in such manner as the Legislature may by law direct;" which was read the first time.

Mr. Turner of Murray introduced

A bill to be entitled an act to abolish imprisonment for debt in this State, and for other purposes ; which was read the first time.

The following message was received from the Senate, by Mr. Moore, their Secretary

*Mr. Speaker*—The Senate have agreed to a resolution to go into the election of one Judge of the Supreme Court, to fill the vacancy occasioned by the resignation of the Hon. Hiram Warner ; and one Judge of said Court, for the six years next ensuing ; and also a Superintendent of the West-

ern and Atlantic Rail Road, on Tuesday next, the 15th instant; in which they ask the concurrence of the House.

Mr. Harrison reported

A bill to be entitled an act to incorporate a Bank in the city of Savannah, to be called the "Mechanics Saving Bank," to be located at Savannah; which was read the first time.

Mr. Alread of Cherokee, reported

A bill to be entitled an act to lay out and organize a new county from the counties of Cherokee and Gilmer, and for other purposes therein named; which was read the first time.

Mr. Paris reported

A bill to be entitled an Act to incorporate Trenton Lodge No. 179, of free and accepted masons, which was read the first time.

Mr. Trice offered a resolution, which was read as follows:

*Be it resolved by the Senate and House of Representatives of the State of Georgia, in General Assembly met,* That his Excellency the Governor, be directed to instruct and require the Solicitor General of the Flint Circuit of this State, to institute legal proceedings, in the proper county, for the forfeiture of the charter, of the Griffin and West Point Plank Road Company, and all privileges and immunities arising under the same.

Mr. Walker introduced a resolution, which was taken up and read as follows:

*Resolved,* That the Secretary of State be, and he is hereby directed to deliver to the Clerk of the House, all Acts of the last General Assembly, providing amendments to the Constitution of this State, which originated in the House of Representatives, and that the clerk report the same to this body.

Upon motion of Mr. Walker, the rules of the House were suspended, and the foregoing resolution agreed to.

Mr. Pottle offered the following resolution:

*Resolved,* That the House will not take up, or consider any bill for the creating any corporations such as are provided for in an act passed on the 25th day of December, 1843, entitled "an act to point out the mode of creating corporations, to define their rights, and other privileges, and to provide a mode of changing the names of individuals."

On motion of Mr. Pottle, the foregoing resolution was taken up and read, and after some discussion thereon, on motion of Mr. McDougald, the same was laid on the table for the present.

Mr. Phillips reported

A bill to be entitled an act to require clerks, sheriffs and ordinaries, to record certain advertisements therein named; which was read the first time.

Mr. Redding offered the following resolution:

*Resolved.* That the Senate and House of Representatives



meet in the Representative Chamber, on Tuesday next, being the 15th instant, to elect one Judge of the Supreme Court, to fill the vacancy occasioned by the resignation of the Hon. Hiram Warner, and one Judge for the said Court, for the six years next ensuing.

Mr. Redding moved to suspend the rule, for the purpose of taking up the foregoing resolution; which was agreed to.

The resolution having been read, on motion, said resolution was laid on the table for the present.

On motion of Mr. Harrison, the rules of the House were suspended, and the resolution of the Senate, in relation to bringing on the election of Judges of the Supreme Court, on Tuesday, the 15th instant, was taken up, and read as follows:

*Resolved*, That the Senate and House of Representatives will meet in the Representative Chamber, on Tuesday next, the 15th instant, to elect one Judge of the Supreme Court, to fill the vacancy occasioned by the resignation of the Hon. Hiram Warner; and one Judge of the said Court, for the six years next ensuing; and also a Superintendent of the Western & Atlantic Rail Road, provided that said Superintendent shall receive his appointment subject to such legislation in relation thereto, as may be had by the present General Assembly.

Mr. Redding moved to amend the said resolution, by striking out that part of it which relates to the election of a Superintendent of the Western & Atlantic Rail Road.

Upon which motion, the yeas and nays were required to be recorded, and are, yeas 77; nays 48.

Those who voted in the affirmative are, Messrs.

Adams,	Cody,	Keith,
Alread,	Crawford,	Maxwell,
Anderson,	Crittenden,	McCurdy,
Andrews,	Dawson,	McGregor,
Wm. W. Arnold,	Dodds,	McMullin,
E. B. Arnold,	Dubignen,	McMillan,
Armstrong,	Durden,	McWhorter,
Barnes,	Eberhart,	Mobley,
Bell,	Fish,	Moody,
Bostwick,	Grant,	Paris,
Bontright,	Gross,	Phillips,
Bridges,	W. P. Harden,	Pottle,
Cameron,	James Hardin,	Powell,
Carlton,	Harrall,	Radford,
Champion,	Harris,	Redding,
Clark,	Hays,	Reynolds,
Benj. Cleveland,	Hood,	Richardson,
W. C. Cleveland,	Irwin,	Rowell,
Clements,	Jones,	R. A. Robinson,

Shewmake,	D. W. Taylor,	Williamson,
W. R. Smith,	Thornton,	Wilson,
Stapleton,	Trice,	Williford,
Staten,	W. A. Walton,	Woodward,
Stephens,	J. H. Walton,	Young,
L. S. Stewart,	Walker,	Yopp,
J. Stewart,	H. L. Williams,	
Sirother,	A. J. Williams,	

Those who voted in the negative are, Messrs.

Denham,	Hudson,	M. Reid,
Dial,	Lamar,	Rice,
Fannin,	Latham,	Riley,
Fields,	Leverett,	N. Robinson,
Gartrell,	Linn,	Rumph,
Green,	Martin,	Shine,
Griffin,	Masters,	J. C. Smith,
Haynie,	Manor,	G. K. Smith,
Harrison,	McDonald,	Wm. Smith,
Hardeman,	McDougald,	Stokes,
Hawkins,	McLean,	Strickland,
Hardison,	Moughon,	Sweat,
Hamilton,	Nichols,	J. Taylor,
Headen,	Pickett,	Turner,
Henderson,	Poole,	West,
Holland,	G. R. Reid,	Whitworth.

So the motion to amend by striking out prevailed.

The resolution as amended was then concurred in.

On motion of Mr. Hardeman, the House then adjourned until 10 o'clock to-morrow morning.

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### FRIDAY, NOVEMBER 11th, 1853.

The House met pursuant to adjournment.

Mr. Cody moved that so much of the Journal of yesterday, as relates to bringing on the election of State House Officers, Solicitors General, Judge of the Court of Oyer and Terminer of the City of Savannah, &c., be reconsidered; which was agreed to.

Mr. McDougald moved to reconsider so much of the Journal of yesterday, as relates to striking out that part of the Resolution of the Senate, which refers to the bringing on the election of a Superintendent of the Western and Atlantic Rail Road; upon which motion, the yeas and nays

were required to be recorded ; and are, yeas 66 ; nays, 67.

Those who voted in the affirmative are, Messrs.

Boatright,	Hawkins,	Poole,
Bridges,	Hardison,	Powers,
Clements,	Headen,	G. R. Reid,
Crittenden,	Henderson,	M. Reid,
Denham,	Hendrick,	Rice,
Dubignon,	Holland,	Riley,
Durden,	Jones,	R. A. Robinson,
Dial,	Lamar,	N. Robinson,
Eberhart,	Latham,	Rowell,
Fannin,	Leverett,	Rumph,
Fields,	Linn,	G. K. Smith,
Fish,	Martin,	Wm. Smith,
Gartrell,	Masters,	J. Stewart,
Green,	Manor,	Stokes,
Griffin,	Mays,	Strickland,
Gross,	McComb,	Sweat,
J. Hardin,	McCurdy,	J. Taylor,
Haynie,	McDougald,	Turner,
Harrison,	McLean,	J. H. Walton,
Harrall,	Moughon,	Ward,
Hardeman,	Nichols,	Whitworth,
Hays,	Pickett,	H. L. Williams.

Those who voted in the negative are, Messrs.

Adams,	W P. Harden,	Richardson,
Alread,	Harris,	Shewmake,
Anderson,	Hatton,	Shine,
Andrews,	Hamilton,	J C. Smith,
Wm. W. Arnold,	Hood,	W R. Smith,
E. B. Arnold,	Hudson,	Stapleton,
Armstrong,	Irwin,	Staton,
Barnes,	Keith,	Stephens,
Bell,	Maxwell,	L. S. Stewart,
Brown,	McDonald,	Strother,
Calloway,	McGregor,	D. W Taylor,
Cameron,	McMulin,	Thornton,
Carlton,	McMillan,	Trice,
Champion,	McWhorter,	W A. Walton,
Clark,	Mobley,	Walker,
Benj. Cleveland,	Moody,	A. J. Williams,
W C. Cleveland,	Paris,	Williamson,
Cody,	Phillips,	Wilson,
Crawford,	Pottle,	Williford,
Dawson,	Radford,	Woodward,
Dodds,	Redding,	Young,
Grant,	Reynolds,	Yopp,

So the motion to reconsider was lost.

The following Message was received from the Senate, by Mr. Moore, their Secretary :

*Mr. Speaker*—I am directed by the Senate to inform the House of Representatives, that they have concurred in the Resolution of the House, bringing on an election of Solicitor General of the Coweta Circuit, and Judge of the Court of Common Pleas of the City of Savannah, with an amendment, in which they ask the concurrence of the House of Representatives.

Which Message was accompanied by the following Resolution of the House as amended by the Senate :

*Resolved*, That 11 o'clock, Friday the 11th day of November, instant, be set apart, for the election of Solicitor General for the Coweta Circuit ; also, for a Judge of the Court of Common Pleas of the City of Savannah ; and a State Director of the Bank of the State of Georgia.

On motion of Mr. McDougald, the same was taken up and concurred in, and the Clerk ordered to convey the same to the Executive for his approval.

Mr. Cody moved to take up the Resolution of the Senate, in relation to bringing on the election of Surveyor General, Treasurer, Secretary of State, a Solicitor General of the Coweta Circuit, a Judge of the Court of Oyer and Terminer, of the City of Savannah ; and a State Director of the Bank of the State of Georgia ; which was lost.

The following Message was received from his Excellency the Governor, by Mr. Briscoe, his Secretary :

*Mr. Speaker*—His Excellency the Governor has assented to, and signed a Resolution, bringing on certain elections this day at 11 o'clock, which has been deposited in the office of the Secretary of State.

On motion of Mr. McDougald, the Clerk was directed to inform the Senate, that the House of Representatives, are now ready to receive them in the Representative Hall, for the purpose of proceeding to the election of Solicitor General of the Coweta Circuit, Judge of the Court of Oyer and Terminer of the City of Savannah, and a State Director of the Bank of the State of Georgia.

Which duty being performed, the President and Members of the Senate attended, and the General Assembly proceeded to the election of a Solicitor General of the Coweta Circuit ; and on receiving and counting out the votes, it appeared that Logan E. Blakeley, Esq., had been duly elected.

They then proceeded to the election of Judge of the Court of Oyer and Terminer of the City of Savannah ; and on receiving and counting out the votes, it appeared, that George Troup Howard, Esq., was duly elected.

They then proceeded to the election of a State Director of the Bank of the State of Georgia ; and on receiving and counting out the votes, it appeared that W T Brantley, Esq., was duly elected.

The Senate then withdrew to their Chamber.

On motion of Mr. Shewmake, the House then adjourned until 10 o'clock to-morrow morning.

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## SATURDAY, NOVEMBER 12th, 1853.

The House met pursuant to adjournment.

On motion of Mr. McDougald, the order of the day was suspended, for the purpose of proceeding with the call of the Counties.

Mr. Walton of Talbot reported

A Bill to be entitled an Act, to alter and define the County line between the Counties of Talbot and Taylor, and straighten the same ; which was read the first time.

Mr. Hardeman reported

A Bill to be entitled an Act, to authorize Warren Freeman of the County of Bibb, to practice on the Homœopathic system, and to charge compensation ; which was read the first time.

Mr. Green reported

A Bill to be entitled an Act, to authorize the Mayor and City Council of Macon, to lease a portion of the City Common, known as Napier's old field ; which was read the first time.

Mr. Latham reported

A Bill to be entitled an Act, to authorize the owners of slaves, and guardians of free persons of color, to give bail for their appearance at court ; which was read the first time.

Mr. Harrison reported

A Bill to be entitled an Act, to amend an Act, authorizing certain Commissioners to raise by Lottery a fund for the erection of monuments to the memory of Greene and Pulaski, in the City of Savannah, passed December, 1837, and the original Act, of which the same is an amendment ; which was read the first time.

Mr. Fields reported

A Bill to be entitled an Act, to repeal an Act, passed 9th January, 1852, entitled an Act, to levy and collect a Tax for each of the political years, 1852, and 1853, and thereafter, till repealed ; and to repeal an Act, supplementary to said Act, approved 21st January, 1852, and to revive and continue in force, an Act, passed 22d February, 1850, en-

titled an Act, to Levy and Collect a Tax for each of the political years, 1850, and 1851, and thereafter ; which was read the first time.

Mr. Cleveland of Crawford reported

A Bill to be entitled an Act, to compensate the Grand and Petit Jurors of Crawford County, and provide for the payment of the same ; which was read the first time.

Mr. Rice reported

A Bill to be entitled an Act, for the relief of Jacob Martin, of Forsyth County ; which was read the first time.

Mr. Pickett reported

A Bill to prevent the falling of timber in, or otherwise obstructing, Boardtown Creek, in the County of Gilmer, and to punish offenders for the same ; which was read the first time. Also,

A Bill to prevent the driving of cattle from distempered Counties, into the County of Gilmer ; which was read the first time.

Mr. Cleveland of Habersham reported

A Bill to be entitled an Act, to compensate Grand and Petit Jurors of the County of Habersham ; which was read the first time.

Mr. Stokes reported

A Bill to be entitled an Act, to incorporate the Southworth Male and Female Academy ; which was read the first time.

Mr. Smith of Jasper reported

A Bill to be entitled an Act, to incorporate the Eatonton and Monticello Rail Road Company ; which was read the first time.

Mr. Keith reported

A Bill to be entitled an Act, for the relief of Samuel Pascoe ; which was read the first time.

Mr. Riley reported

A Bill to be entitled an Act, amendatory of, and additional to, "an Act to alter and amend an Act, to provide for the compensation of Grand and Petit Jurors of Lumpkin County, passed December 7th, 1843 ;" and also, to provide for the compensation of Petit Jurors in the Superior and Inferior Courts of said County ; and also, amendatory of and additional to "an Act, to prescribe the mode of compensating the Jurors of the Superior and Inferior Courts of the Counties of Lumpkin, Habersham and Murray, approved January 15th, 1852 ;" so far as concerns said County of Lumpkin, and for other purposes therein mentioned ; which was read the first time. Also,

A bill to be entitled an Act, to change the line between the Counties of Lumpkin and Hall ; which was read the first time.

Mr. Strother reported

A Bill to be entitled an Act, to amend an Act, entitled "an Act, to prescribe and point out the mode of collecting Coroner's fees, in the several Counties of this State, passed December 22d, 1835 ;" which was read the first time.

Mr. Nichols reported

A Bill to be entitled an Act, to remove an election precinct in the County of Meriwether, therein specified ; which was read the first time.

Mr. Williamson reported

A Bill to be entitled an Act, to change the name of certain persons therein named, in the County of Emanuel ; which was read the first time. Also,

A Bill to be entitled an Act, to alter and amend the several Acts of this State, providing for the organization of land Courts, so far as relates to the County of Montgomery ; which was read the first time.

Mr. Turner reported

A Bill to be entitled an Act, to permit Lunatics and Idiots, and such persons as may have them in charge, to pass free on the Western and Atlantic Rail Road, on their way to, and from the Lunatic Asylum ; which was read the first time.

Mr. McDougald reported

A Bill to be entitled an Act, for the pardon of Elijah Bird, of the County of DeKalb, now under sentence of death, for the crime of murder ; which was read the first time.

On motion of Mr. McDougald, the rules of the House were suspended, for the purpose of introducing the following Resolution :

*Resolved*, That the Clerk have printed for the use of the House, two hundred copies of the testimony and proceedings, in the case of the State vs. Elijah Bird, of DeKalb County, who is now under sentence of death, for the crime of murder ; which was taken up, read and agreed to.

On motion of Mr. McDougald, leave of absence was granted to Mr. Cleveland of Crawford, for a few days.

On motion of Mr. Thornton, the House proceeded with the call of the Counties.

The following Message was received from the Senate, by Mr. Moore, their Secretary :

*Mr. Speaker*—The Senate have concurred in the amendment of the House of Representatives to the Resolution of the Senate, bringing on the election of two Judges of the Supreme Court.

Mr. Thornton reported

A Bill to be entitled an Act, to authorize certain Commissioners hereinafter named, and their successors in office, to raise by Lottery, the sum of Ten Thousand Dollars, to be appropriated to the building of a Masonic Hall, in the City

of Columbus, Muscogee County, Georgia; and for other purposes; which was read the first time.

Mr. McMullen reported

A Bill to be entitled an Act, to authorize and require the Tax Collector of the County of Macon, to pay over the State Tax for the year, 1853, to the Justices of the Inferior Court of said County, for the use thereof; which was read the first time.

Mr. Gross reported

A Bill to be entitled an Act, to reduce the Sheriff's bonds of the Sheriffs hereafter to be elected in the County of Scriven, from Ten Thousand, to Five Thousand Dollars; which was read the first time.

Mr. Williams of Sumter offered the following Resolution:

*Resolved*, That both branches of the General Assembly, do convene in the Representative Chamber, on Tuesday, the 15th of this, instant, at 11 o'clock, A. M., to proceed to the election of Comptroller General, Surveyor General, Treasurer, and Secretary of State, for the State of Georgia; which was taken up and read.

Mr. Gartrell offered the following amendment; "also, the Superintendent of the Western and Atlantic Rail Road; subject to subsequent legislation."

Upon which motion to amend, the yeas and nays were required to be recorded, and were—yeas 60, nays 67.

Those who voted in the affirmative are, Messrs.

Andrews,	Hudson,	M. Reid,
Boatright,	Keith,	Rice,
Bridges,	Lamar,	R. A. Robinson,
Clements,	Latham,	N. Robinson,
Crittenden,	Leverett,	Rowell,
Denham,	Linn,	Rumph,
Dial,	Martin,	Shine,
Fannin,	Masters,	G. K. Smith,
Fields,	Manor,	W. R. Smith,
Gartrell,	Mays,	Wm. Smith,
Green,	McCurdy,	J. Stewart,
Griffin,	McDonald,	Stokes,
J. Hardin,	McDougald,	Sweat,
Haynie,	McLean,	J. Taylor,
Harrison,	Mobley,	D. W. Taylor,
Hays,	Moughon,	Turner,
Hawkins,	Nichols,	J. H. Walton,
Hardison,	Pickett,	West,
Headen,	Powers,	Whitworth,
Henderson,	G. R. Reid,	H. L. Williams.



Those who voted in the negative are, Messrs.

Adams,	Gross,	Reynolds,
Alread,	W. P. Harden,	Riley,
Anderson,	Harris,	Shewmake,
Wm. W. Arnold,	Harrall,	J. C. Smith,
E. B. Arnold,	Hardeman,	Stapleton,
Armstrong,	Hamilton,	Staten,
Barnes,	Hendrick,	Stephens,
Bostwick,	Hood,	L. S. Stewart,
Brown,	Holland,	Strickland,
Calloway,	Irwin,	Strother,
Cameron,	Jones,	Thornton,
Carlton,	McGregor,	Trice,
Champion,	McMullin,	W. A. Walton,
Clark,	McMillan,	Walker,
Benj. Cleveland,	McWhorter,	A. J. Williams,
W. C. Cleveland,	Moody,	Williamson,
Cody,	Paris,	Wilson,
Crawford,	Philps,	Williford,
Dodds,	Poole,	Woodard,
Dubignon,	Pottle,	Young,
Durden,	Powell,	Yopp.
Fish,	Radford,	
Grant,	Redding,	

So the motion to amend was lost.

The question then being upon the Resolution as offered, the same was agreed to; and the Clerk directed to communicate the same to the Senate.

The following Message was received from the Senate, by Mr. Moore, their Secretary:

*Mr. Speaker*—The Senate have agreed to a Resolution bringing on an election on Friday next, the 18th instant, for one U. S. Senator, to fill the term next ensuing the third day of March next, in which, they ask the concurrence of the House of Representatives.

The Resolution of the Senate in relation to bringing on the election of U. S. Senator, was read, as follows:

*Resolved*, That Friday, November 18th, 1853, at 11 o'clock A. M., be set apart for the election of a United States Senator, to fill the term to be created by the expiration of the term of service of the Hon. William C. Dawson, and that both branches of the General Assembly meet in the Hall of the House of Representatives, at 11 o'clock A. M. that day, for such purpose.

Mr. Sturges moved to amend, by inserting after the words "Wm. C. Dawson" the words "from and after the 3d

of March 1855." The resolution, as amended, was agreed to.

Mr. McDougald moved to take up and concur in said resolution of the Senate.

Upon which motion the yeas and nays were required to be recorded, and are, yeas 87 ; nays 38.

Those who voted in the affirmative are, Messrs.

Adams,	Hays,	G. R. Reid,
Alread,	Hawkins,	M. Reid,
Andrews,	Hardison,	Rice,
Wm. W. Arnold,	Headen,	Riley,
Barnes,	Hendrick,	R. A. Robinson,
Boatright,	Holland,	N. Robinson,
Bridges,	Hudson,	Rowell,
Clark,	Keith,	Rumph,
Benj. Cleveland,	Lamar,	Shine,
W. C. Cleveland,	Latham,	G. K. Smith,
Clements,	Leverett,	W. R. Smith,
Cravford,	Linn,	Wm. Smith,
Crittenden,	Masters,	L. S. Stewart,
Denham,	Manor,	J. Stewart,
Durden,	Mays,	Stokes,
Dial,	McCurdy,	Strickland,
Eberhart,	McDonald,	Sweat,
Fields,	McDougald,	J. Taylor,
Fish,	McGregor,	D. W. Taylor,
Ganrell,	McLean,	Trice,
Grant,	McMillan,	Turner,
Green,	McMullin,	West,
Griffin,	Moody,	Whitworth,
J. Hardin,	Moughon,	H. L. Williams,
Haynie,	Nichols,	Williamson,
Harrison,	Phillips,	Wilson,
Harnell,	Pickett,	Williford,
Hutton,	Poole,	Woodward,
Hardeman,	Redling,	Young.

Those who voted in the negative are, Messrs.

Anderson,	Dodds,	Irwin,
E. B. Arnold,	Dubignon,	Jones,
Armstrong,	Fannin,	Martin,
Bostwick,	Gross,	Maxwell,
Brown,	W. P. Harden,	McWhorter,
Cameron,	Harris,	Mobley,
Chambliss,	Hamilton,	Paris,
Cody,	Hood,	Pottle,

Powell,	Staten,	J. H. Walton,
Radford,	Stephens,	Walker,
Shewmake,	Strother,	A. J. Williams,
J. C. Smith,	Thornton,	Yopp.
Stapleton,	W. A. Walton,	

So the motion was lost.

Mr. Moody reported

A bill to be entitled an act, to authorize the Ordinary of Tattnall county, to keep his office at his own residence ; which was read the first time.

Mr. Fannin reported

A bill to be entitled an act to compel the Sheriffs in the several counties in this State to make Levies or return of *Nulla Bona*, within certain time prescribed therein, and for other purposes ; which was read the first time.

Mr. Young reported

A bill to be entitled an act, to change the names of Amos Lingerfelt, Alfred Lingerfelt and Mary Lingerfelt, to Amos Young, Alfred Young and Mary Young ; which was read the first time.

Mr. Fannin reported

A bill to be entitled an act, to alter and amend the fifth Section of an Act, to regulate the weighing of cotton, or other commodities in this State, approved December 8th, 1806 ; which was read the first time.

Mr. Pottle reported

A bill for the relief of Martha Ann Greenson and Emmett Greenson ; which was read the first time.

Mr. Mobley reported

A bill to be entitled an act, to amend an act entitled "An Act to change the names and legitimize the persons therein named and for other purposes, approved January 21st, 1852," and for other purposes herein named ; which was read the first time.

Mr. Phillips reported

A bill to be entitled an act, to authorize the State Treasurer to make certain advances ; which was read the first time.

Mr. Powell reported

A bill to be entitled an act, to compel non-resident land owners to pay taxes for the same, in the county where the land lies, so far as relates to the county of Decatur, and to point out the mode of proceeding in cases of default ; which was read the first time.

Mr. Dial reported

A bill to be entitled an act, to authorize the taxes of Appling county for the years 1854 and 1855, to be retained by the Inferior Court of said county, to build an Academy in

the town of Holmesville, and for other purposes therein mentioned, which was read the first time.

On motion, leave of absence was granted to Mr. Stephens for a few days, on account of the sickness of his family.

Mr. Fields offered the following resolution, which was taken up and agreed to :

*Resolved*, That Abraham F. Powell, door keeper of the House of Representatives, be allowed to employ a deputy door keeper of the House of Representatives, provided that no additional pay shall be allowed for that purpose.

On motion of Mr. Shewmake the rules of the House were suspended for the purpose of offering the following resolution :

*Resolved*, That all bills relating to changing election precincts or the establishing new ones, or incorporating camp grounds and churches, or the changing of names be referred to a special committee of seven, to be appointed by the Speaker for the purpose of consolidation.

On motion, leave of absence was granted to Rufus A. Robinson for a few days, on account of the indisposition of his family.

The rules of the House being suspended, Mr. Walker moved to take up the resolution of the Senate in relation to the adjournment of the General Assembly on the 19th day of December, 1853, pending which, on motion, the House adjourned until 10 o'clock, Monday morning.

## MONDAY, NOVEMBER 14th, 1853.

The House met pursuant to adjournment.

On motion of Mr. Latham, leave of absence was granted to Mr. Williams of Walton, for a few days, on account of the indisposition of his family.

On motion of Mr. Martin of Elbert, Mr. Rucker, member elect from the county of Elbert, took the oath prescribed by the Constitution.

The Speaker in pursuance of a previous resolution of the House, announced from the chair the following Joint Standing Committees, on the part of the House, as follows :

*On Banks.*—Messrs. Irwin, McDougald, Hardeman, Smith of DeKalb, Walton of Talbot, Pottle, Henderson, Hardison, Reid of Irwin, McMillan of Jackson, Robinson of Randolph, Strother, Hamilton, and Smith of Jasper.

*On Finance.*—Messrs. Phillips, Hardeman, Poole, Walton of Richmond, Haynie, Henderson, Hendrick, Smith of

Camden, West, Alread, Moughon, Clark, Cody, Williams of Sumter, and Harrison.

*On Public Education.*—Messrs. Green, Gartrell, Bostwick, Carlton. Cameron, Harris, Anderson, Bridges, Redding Mays, Reid of Carroll, Crawford, Holland, Brown, Williford.

*On Manufactures.*—Messrs. Smith of DeKalb, Whitworth, Sweat, Taylor of Houston, Hawkins, Harden of Clark, Hardin of Paulding, Champion, Jones, McWhorter, Eberhart, Stewart.

*On the State of the Republic*—Messrs. Lamar, McDougald, Latham, McWhorter, Mobley, Trice, Thornton, Richardson, Walker, Fannin, Nichols, Clark, Manor, Hamilton, Williams of Walton.

*On Judiciary.*—Messrs. McDougald, Latham, Lamar. Thornton, Irwin, Walker of Richmond, Pottle, Arnold of Pike, Clark, Williford, Gartrell, Masters, Cleveland of Crawford.

*On Military Affairs.*—Messrs. Harrison, McMullin of Macon, Anderson, Fannin, Cleveland of Habersham, Powers, Pickett, Arnold of Pike, Haynie, Hudson, Hendrick, Crittenden, Powell.

*On Enrolment.*—Messrs. Gartrell, Stapleton, Harden of Clark, Cleveland of Crawford, Williamson, Arnold of Henry, Barnes, Rumph, Shine, Martin Denham, Stokes, Rice, Latham.

*On Petitions.*—Messrs. Adams, Calloway, McDaniel, Dial, Smith of Liberty, Dawson, Riley, Jones, Linn, Fields, Darden, Fish, Armstrong, Bell, Clements, Stewart of Taylor, Staten.

*On Journals.*—Messrs. Reynolds, McComb, Powell, McLean, Bridges, Paris, Rucker, Headen, Strickland, Andrews, Stewart of Hancock, Radford, Hatton.

*On Agriculture and Internal Improvements.*—Messrs. Walker, Arnold of Pike, Harrison, Dodds, Smith of Camden, Cameron, Latham, Lamar, Dubignon, Powell, McComb, Thornton, Crittenden, Shewmake, Powell.

*On Penitentiary.*—Messrs. Poole, Smith of DeKalb, McGregor, Wilson, Stephens, Boatright, Hays, McCurdy, Yopp, Keith, Harrall, Trice, Moughon, Taylor of Wilkinson, Griffin.

*On Lunatic Asylum.*—Messrs. Phillips, Adams, Stapleton. Carlton, Harden of Clark, Houd, West, Gross, Hawkins, Turner, Harrison, Pickett, Robinson of Washinhton, Leve-rett.

*Special Committee under Resolution of the House, to consolidate Bills.*—Messrs. Shewmake, McDougald, Pottle, Latham, Arnold of Pike, Hardeman. Crittenden of Spaulding.

*On Public Printing.*—Messrs. Latham, McComb, Harden

of Clark, Harrison, Yopp, Woodward, Maxwell, Young, Green, Haynie, Lamar, Adams, Powell, Grant.

The following message was received from the Senate, by Mr. Moore, their Secretary.

*Mr. Speaker*—I am directed by the Senate, to inform the House of Representatives, that they have concurred in the resolution of the House, bringing on the election of a Comptroller General, Surveyor General, Treasurer, and Secretary of State, at 11 o'clock, A. M. on Tuesday next, the 15th inst.

On motion of Mr. McDougald, the resolution of the Senate, in relation to bringing on the election of Comptroller General, Surveyor General, Treasurer and Secretary of State, at 11 o'clock, A. M. Tuesday next, 15th inst., was ordered to be enrolled and sent immediately to his Excellency the Governor.

The House then proceeded to the regular order of the day, being the call of counties.

Mr. Hardeman reported

A bill to be entitled an act to establish a Fire Company in the city of Macon; which was read the first time.

Mr. Reid of Carroll, reported

A bill to be entitled an act for the relief of James B. Goddard; which was read the first time.

Mr. Crawford reported

A bill to be entitled an act for the relief of Hannah Levy; which was read the first time.

Mr. Fields reported

A bill to be entitled an act to authorize John A. Lyon of the county of Cherokee, to practice medicine on the Botanic system, and to charge for the same; which was read the first time.

Mr. Fields reported

A bill entitled an act for the relief of Jesse Monroe, of the county of Cherokee, and to appropriate certain monies for the benefit of certain persons therein named; which was read the first time.

Mr. Gartrell reported

A bill entitled an act to alter and change the names of certain persons, and for other purposes therein mentioned; which was read the first time.

Mr. Powell reported

A bill to be entitled an act to repeal an act entitled an act to consolidate the offices of Receivers of tax returns and Tax Collectors, of this State, so far as relates to the county of Decatur, passed the 2d day of December, 1841, and to provide for the election in future of one Tax Collector and one Tax Receiver, separately, in said county of Decatur, as provided for by the general laws of this State in such cases; which was read the first time.

Mr. Denham reported

A bill to be entitled an act to change the time of holding the Interior Court in the county of Fayette; which was read the first time.

Mr. Poole reported

A bill to be entitled an act to incorporate the Phi Delta Masonic Academy, in Franklin county; which was read the first time.

Mr. Phillips reported

A bill to be entitled an act to amend the act incorporating the Georgia Military Institute, and to appropriate money therefor; which was read the first time. Also,

A bill to be entitled an act to appropriate the sum of ten thousand dollars from the Treasury, as a contingent fund; which was read the first time. Also,

A bill to be entitled an act for the building and construction of a Rail Road, from or near the town of Athens to the Rabun Gap, or some point near thereto; which was read the first time.

Mr. Mobley reported

A bill to be entitled an act to indemnify Henry M. Burkhalter, for loss sustained by him, in consequence of the State selling to him a fractional lot of land, to which it had no title; which was read the first time.

Mr. Phillips reported

A bill to be entitled an act to authorize his Excellency the Governor, under certain conditions, to subscribe, on the part of the State, to the capital stock of the Northeastern Rail Road Company; which was read the first time.

Mr. Stapleton introduced a resolution, which was read as follows:

*Resolved*, That each member of this General Assembly be requested to leave in the hands of the Treasurer the amount of his compensation for one day, as a contribution to the Washington Monument; and further, that his Excellency the Governor, be requested to transmit such sums as may be thus left in the hands of the Treasurer, to the proper officer of the Washington Monument Association.

Mr. Turner reported

A bill to be entitled an act to make the Ordinaries in the several counties in the State, *ex-officio* Justices of the Peace, so far as to authorize them to administer oaths, witness deeds and other instruments in writing, and perform the marriage ceremony, and for other purposes; which was read the first time.

Mr. McDougald reported

A bill to be entitled an act to divorce George T. Walker of DeKalb county, from his wife, Ann Walker, formerly Ann Canada, and to restore him to all the rights of an unmarried man; which was read the first time.

Mr. McDougald offered a resolution, which was read as follows :

*Resolved*, That one thousand copies of the Report on the Military Institute of the State of Georgia, and also one thousand copies of the Report of Col. Brumby, Superintendent of the Georgia Military Institute, to the Board of Visitors, be printed for the use of this House.

Mr. Thornton reported

A bill to be entitled an act to alter the first section of the third Article of the Constitution of the State of Georgia, so as to provide for the election of Judges of the Supreme Court by the people, instead of by the Legislature ; which was read the first time.

Mr. McDougald reported

A bill to be entitled an act to alter, change and amend the forty-sixth section of an act to amend an act entitled an act to revise and amend the Judiciary system of this State, approved February 16th, 1799, so far as to dispense with an order of Court, before bringing suit on Sheriffs' bonds, and to require the Clerks of the Superior Courts to furnish a certified copy of said bonds, on the application of any person desiring to bring suit thereon, and to make such certified copy legal evidence in such suit, on the trial thereof ; which was read the first time.

Mr. Clark reported

A bill to be entitled an act to appropriate money to improve the navigation of Broad River, which was read the first time.

The following message was received from the Senate, by Mr. Moore, their Secretary :

*Mr. Speaker*—The Senate have passed the following bills, to wit,

A bill to be entitled an act to alter and change the time of holding the Inferior Court of the county of Paulding.—Also,

A bill to be entitled an act to change the time of holding the Superior Courts of Taylor county.

Mr. Arnold of Pike, reported

A bill to be entitled an act to authorize and empower executors and administrators to make titles to lands in certain cases : which was read the first time. Also,

A bill to be entitled an act to amend an act to carry into effect the amended Constitution of this State, in reference to the Ordinaries of said State, and for other purposes, assented to January 21st, 1852, so far as regards the recording vouchers, and keeping open the office ; which was read the first time.

Mr. Trice reported

A bill to be entitled an act to amend an act to define the liabilities of the several Rail Road Companies in this State.



for the loss of stock killed or wounded, by the running of cars or locomotives, on their roads, and to regulate the mode of proceeding in such cases, and for other purposes ; which was read the first time.

Mr. Trice also offered the following resolution, to wit :

*Resolved*, That the Governor be requested to report to this House, a full, complete and detailed statement of the cost and expense, as well as the income, arising from the Western and Atlantic Rail Road, from the beginning to the present time, and that the conclusion of such statement present the profit and loss, in such shape that the result may be seen at one view.

Mr. McGregor reported

A bill to be entitled an act to appropriate a certain sum of money therein mentioned, for the relief of George M. Garrison of the county of Polk ; which was read the first time.

Mr. Walton of Richmond, reported

A bill to be entitled an act to establish the City Bank in the city of Augusta ; which was read the first time. Also,

A bill to be entitled an act to amend an act to provide for the education of the poor, approved January 22d, 1852, and for other purposes therein mentioned ; which was read the first time.

Mr. Walker reported

A bill to be entitled an act to compensate Allen C. Harbin and others, of the county of Richmond, for services rendered ; which was read the first time.

Mr. Williams of Sumpter, reported

A bill to be entitled an act to authorize and require the Ordinaries of the counties of Macon and Sumpter, to pay to Wm. M. Thretkeld of the county of Sumpter, certain sums of moneys, for teaching poor children of said counties, and for other purposes therein mentioned ; which was read the first time.

Mr. Dial reported

A bill to be entitled an act to incorporate the town of Holmesville, in the county of Appling, and to render the county site of said county permanent ; which was read the first time.

Mr. Walker offered the following resolution, to wit :

*Resolved*, That all that part of the Governor's message relating to the public debt, finance and taxation, be referred to the Committee on Finance ; all that part of the same relating to the Western and Atlantic Rail Road, to the Committee on Agriculture and Internal Improvements ; that part relating to the unsettled boundary line, between this State and South Carolina, together with all resolutions received from other States, to the Committee on the State of the Republic ; that part relating to education, to the Committee on

Education; that part relating to the Penitentiary, to the Committee on the Penitentiary; that part relating to the Military Institute, to the Committee on Military Affairs.

On motion of Mr. Walker, the foregoing resolution was taken up, and adopted.

Mr. Gross reported

A bill to be entitled an act to amend an act entitled an act of 1849 and '50, allowing discoveries at common law, so as to be available in Justices Courts, on giving the opposite party ten days notice; which was read the first time.

Mr. Crittenden reported

A bill to be entitled an act to authorize and require the citizens of Spaulding county to give in and pay their taxes in said county; which was read the first time.

Mr. Bell reported

A bill to be entitled an act to lay out and form a new county out of the county of Stewart, and to provide for the organization of the same; which was read the first time.

Mr. Maxwell reported

A bill to be entitled an act to authorize the Treasurer of the Poor School Fund, in the county of Talbot, to pay over to Wilson L. Owens the amount of his account, for teaching poor children in the aforesaid county, in the years 1851 and 1852; which was read the first time.

Mr. Griffin reported

A bill to be entitled an act to reduce the official bond of the Sheriffs hereafter to be elected, in the county of Twiggs, from the sum of twenty thousand dollars, to the sum of ten thousand dollars; which was read the first time.

Mr. Clements reported

A bill to be entitled an act to change the line between the counties of Walker and Gordon; which was read the first time.

Mr. Sweat reported

A bill to be entitled an act to repeal an act, approved December 26th, 1851, compelling Justices of the Peace of the ten hundred and thirtieth District G. M., of the county of Ware, to hold their Courts at Sweat & Jourdan's store, and for other purposes therein mentioned; which was read the first time.

The following message was received from his Excellency the Governor, by Mr. De Graffenried, his Secretary:

*Mr. Speaker*—I am directed by the Governor to inform the House of Representatives that he has approved and signed a resolution, bringing on certain elections on Tuesday, the 15th instant, to wit: for Comptroller General, Surveyor General, Treasurer and Secretary of State.

Mr. McCurdy reported

A bill to be entitled an act to incorporate the town of Dalton, in the county of Whitfield, under the name of the

city of Dalton, and provide for the election of Mayor and City Councilmen, and such other officers as may be required, and confer upon them certain powers therein mentioned, and to make permanent the Court House and Jail. in said county of Whitfield; which was read the first time.

Mr. McCurdy reported

A bill to be entitled an act to incorporate the Grand Lodge Knights of Jericho, of the State of Georgia, and for other purposes therein mentioned; which was read the first time.

Mr. Irwin reported

A bill to be entitled an act to allow executors, administrators and guardians to resign their trusts on certain conditions; which was read the first time. Also,

A bill to be entitled an act to prevent continuances in certain cases; which was read the first time.

Mr. McWhorter reported

A bill to be entitled an act to erect monuments to the memory of the late John Forsyth and to the memory of the late Hon. William H. Crawford, and to appropriate money therefor; which was read the first time.

On motion of Mr. Clark, the House then adjourned until this evening at three o'clock.

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### THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

On motion of Mr. Cleveland of Habersham, the rules of the House were suspended, for the purpose of permitting members to introduce bills.

Mr. Cleveland of Habersham, reported

A bill to be entitled an act to authorize the treasurer of the Poor School Fund, in the county of Habersham, to pay to Mary A. Maldin the amount of her account for teaching poor children, in the year 1849; also, to C. H. Kettle the amount of his account for teaching two poor children, in the year 1852, which account the treasurer refuses to pay, said children not being returned in compliance with law; which was read the first time.

The rules of the House being suspended, Mr. Strother offered the following resolution:

*Resolved*, That all that part of the Governor's message, relating to the subject of the removal of the seat of government, be referred to a Special Committee of seven appointed by the Speaker; all that part relating to the Federal relations, be referred to the Standing Committee on the State of the Republic; all that part relating to the Supreme Court and State Library, Attorney General and election Laws, be referred to the Judiciary Committee: and that part relating

to the Central and Darien Banks to the Committee on Banks.

Which was taken up, read and agreed to.

Whereupon the Speaker appointed the following Special Committee: Messrs. Hardeman, McComb, Smith of DeKalb, Thornton, Harrison, Adams and Walton of Richmond, in reference to the removal of the seat of government.

Mr. Mobley reported

A bill to be entitled an act to authorize Justices of the Inferior Court to grant orders to hold to bail, in cases arising *ex delicto*; which was read the first time.

Mr. Trice moved to suspend the rules of the House, to take up the following resolution:

*Resolved*, That the Governor be requested to report to this House a full, complete and detailed statement of the cost and expense as well as the income arising from the Western and Atlantic Railroad, from the beginning to the present time, and that the conclusion of such statement present the profit and loss in such shape that the result may be seen at one view.

Mr. Phillips moved to amend the foregoing resolution, by striking out the words, "the Governor be requested," and inserting in lieu thereof, the words, "that a committee of three be appointed by the Speaker; which motion to amend prevailed.

On motion, the original resolution as amended, was agreed to.

Whereupon the chair appointed the following committee; Messrs. Phillips, Reynolds and Trice, under that resolution.

Mr. Walker moved to resume the unfinished business of Saturday, which was the resolution of the Senate, in reference to certain legislation and adjournment of the General Assembly on the 16th December next.

Mr. Lamar moved to lay the same on the table for the present.

Whereupon the yeas and nays were required to be recorded, and are: yeas 50, nays 73.

Those who voted in the affirmative are Messrs.

Adams,	Denham,	Hatton,
Andrews,	Dodds,	Hardeman,
Bell,	Dubignon,	Hardison,
Bostwick,	Dial,	Hendrick,
Bridgdes,	Fish,	Irwin,
Calloway,	Green,	Keith,
Benj. Cleveland,	Haynie,	Lamar,
Dawson,	Harrison,	Leverett,

McComb,	Richardson,	Stokes,
McDougald,	Riley,	Strickland,
McGregor,	R. A. Robinson,	Strother,
Phillips,	N. Robinson,	Sweat,
Pickett,	Rowell,	J. Taylor,
Redding,	Rumph,	G. W. Taylor,
G. R. Reid,	G. K. Smith,	Thornton,
M. Reid,	W. R. Smith,	Woodward.
Rice,	W. Smith,	

Those who voted in the negative are, Messrs.

Alread,	Harris,	Paris,
Anderson,	Harrall,	Poole,
W. W. Arnold,	Hays,	Pottle,
E. B. Arnold,	Hawkins,	Powell,
Armstrong,	Hamilton,	Powers.
Barnes,	Headen,	Radford.
Boatright,	Hood,	Rucker,
Brown,	Holland,	Shewmake,
Cameron,	Hudson,	Stapleton,
Carlton,	Latham,	Staten,
Champion,	Linn,	L. S. Stewart,
Clark,	Martin,	J. Stewart,
Cody,	Masters,	Trice,
Crawford,	Maxwell,	Turner,
Crittenden,	Manor,	W. A. Walton,
Durden,	Mays,	J. H. Walton,
Eberhart,	McCurdy,	Walker,
Fannin,	McMullin,	Whitworth,
Fields,	McLean,	A. J. Williams,
Gartrell,	McMillan,	Williamson,
Grant,	McWhorter,	Wilson,
Griffin,	Mobley,	Williford,
Gross,	Moody,	Yopp.
W. P. Harden,	Moughon,	
James Hardin,	Nichols,	

So the motion was lost.

On motion of Mr. M'Curdy, the question was divided, and the preamble was agreed to, and on motion to adopt that part of the resolution which refers to certain legislation that the several Superior and Inferior Courts of this State are by law authorised to transact, Mr. McDougald offered the following proviso, to wit:

*Provided*, All members who have been requested by their constituents to introduce any of the aforesaid bills, shall not be debarred from doing so and fairly representing them.

On motion of Mr. Cleveland, of Habersham, the original resolution and amendment were laid on the table for the present.

On motion, the order was suspended and the following bills were read the second time and ordered to be committed for a third reading, to wit:

A bill to be entitled an act to alter, change and amend the 3d Section of the 1st Article of the Constitution of this State, by striking out the word "biennially," and inserting in lieu thereof, the word "annually."

A bill to incorporate the Brunswick Improvement Company.

A bill entitled an act to lay out and organize a new county from the counties of Cherokee and Gilmer, and for other purposes therein specified.

A bill entitled an act to amend and alter the 30th Section, 10th Division of an act to reform, amend and consolidate the penal laws of the State of Georgia, approved December 23d, 1833.

A bill to be entitled an act to provide for the payment of certain census takers of this State, therein named.

A bill to be entitled an act to refund the taxes collected from the Rome Rail Road Company; which, on motion of Mr. Haynie, was referred to a Select Committee, consisting of Messrs. Haynie, Clark and Fields.

A bill amendatory of the several acts incorporating the city of Rome.

A bill to be entitled an act to authorize the School Commissioners of Greene county, to pay to Mary Hargroves and others the amount of money due them for teaching poor children in 1852.

A bill to be entitled an act to prevent the driving any horned cattle of the cow kind, from any of the districts or counties of South Carolina or State of Alabama, or any county in this State, southeast or southwest of Habersham county, or from that part of said county of Habersham, which lies southeast of what is known as the Chattahoochee Ridge, which runs through said county or any other portion of the county that may be infected with distemper, into the county of Habersham, and to prohibit the driving of such cattle and oxen from said county to distempered places, and then driving the same cattle back to said county of Habersham, between the 15th day of April and the 1st day of October in each year.

A bill to be entitled an act to incorporate the McDonough Collegiate Seminary, and to prohibit retailers from giving, selling or furnishing to minor students any quantity of spirituous liquors without written permission from parents or guardians.

A bill to be entitled an act to alter and amend the 12th

Section of the 2d Article of the Constitution, by striking out the words, "appointed in the same manner and at the same session of the Legislature," and inserting in lieu thereof, "shall be elected by persons entitled to vote for Governor, at such time and in such manner as the Legislature shall or may by law direct."

A bill to be entitled an act to alter and amend the 3d Section of the 3d Article of the Constitution, by striking out the words, "appointed by the Legislature," and insert in lieu thereof, the words, "elected by persons entitled to vote for members of the Legislature, at such time and in such manner as the Legislature may by law direct."

A bill to be entitled an act to incorporate a Bank in the city of Savannah, to be called the Mechanics' Savings Bank.

On motion of Mr. Gartrell, the rules of the House were suspended, for the purpose of reading the following bill of the Senate the first time, to wit :

A bill to be entitled an act to alter and change the time of holding the Inferior Courts for the county of Paulding.

On motion of Mr. Phillips, the rules of the House were suspended, and the following bill was taken up and read the second time, and ordered to be committed for a third reading, to wit :

A bill to be entitled an act to authorize the State Treasurer to make certain advances.

On motion of Mr. McDougald the House adjourned until ten o'clock to-morrow morning.

## TUESDAY, NOVEMBER 15th, 1853.

The House met pursuant to adjournment.

On motion of Mr. McDougald, the rules of the House were suspended, and the House took up the report on the bill to be entitled an act to authorize the State Treasurer to make certain advances.

Mr. Phillips moved to amend the bill, by inserting the words "twenty thousand," in lieu of the words "fifteen thousand;" which was agreed to; and the bill, as amended, was read the third time, and passed under the title thereof.

On motion of Mr. McDougald, the clerk was directed to inform the Senate immediately of the passage of said bill.

The House resumed the regular order of business. The following bills were taken up, read the second time, and ordered to be committed for a third reading :

A bill to be entitled an act to incorporate Trenton Lodge, No. 179, of Free and Accepted Masons.

A bill to be entitled an act to require clerks, sheriffs and

ordinaries, to record certain advertisements therein named.

A bill to be entitled an act to authorize Warren Freeman, of the county of Bibb, to practice on the Homœopathic system, and charge compensation for his services.

A bill to be entitled an act to authorize the Mayor and Council of Macon, to lease a portion of the City Common, known as Napier's Old Field.

A bill to be entitled an act to authorize masters of slaves, and guardians of free persons of color, to give bail for their appearance at Court.

A communication, directed to the Speaker of the House, from Mr. Orme, upon the subject of the public printing, was read.

On motion of Mr. Gartrell, the rules of the House were suspended, and the following bill from the Senate was taken up and read the second time, and ordered to be committed for a third reading, to wit :

A bill to be entitled an act to alter and change the time of holding the Inferior Courts for the county of Paulding.

The House then proceeded to the regular order, and read the second time the following bills, and ordered the same to be committed for a third reading, to wit :

A bill to be entitled an act to abolish imprisonment for debt in this State, and for other purposes.

A bill to be entitled an act to alter and define the county line between the counties of Talbot and Taylor, and straighten the same.

A bill to be entitled an act to amend an act, authorizing certain commissioners to raise by lottery, a fund for the erection of monuments to the memory of Greene and Pulaski, in the city of Savannah, passed December, 1837, and the original Act, of which the same is an amendment.

A bill to be entitled an act to repeal an act, passed 9th January, 1852, entitled an act to levy and collect a tax for each of the political years 1852 and 1853, and thereafter, until repealed, and to repeal an act, supplementary to said act, approved 21st January, 1852, and to revive and continue in force an act, passed 22d February, 1850.

A bill to be entitled an act to compensate the grand and petit jurors of Crawford county, and to provide for the payment of the same.

A bill to be entitled an act for the relief of Jacob Martin, of Forsyth county.

A bill to be entitled an act to prevent the felling of timber in, or otherwise obstructing, Board Town creek, in the county of Gilmer, and to punish offenders for the same.

Mr. Dodds moved to suspend the rules, to enable him to introduce a bill ; which motion being agreed to, Mr. Dodds reported the following bill, to wit :

A bill to be entitled an act to make the decisions of the Supreme Court uniform ; which was read the first time.



On motion of Mr. Clark, the clerk was directed to inform the Senate, that the House is now ready to receive them in their chamber, for the purpose of proceeding to the election of one Judge of the Supreme Court, to fill the vacancy occasioned by the resignation of the Hon. Hiram Warner, and one Judge of the Supreme Court, for the six years next ensuing, a Comptroller General, Surveyor General, Treasurer and Secretary of State; which duty being performed, the President and members of the Senate attended, and proceeded to the election of a Judge of the Supreme Court, for the unexpired term of two years of the Honorable Hiram Warner; and upon receiving and counting the ballots, it appeared that the Hon. Ebenezer Starnes was duly elected.

They then proceeded to the election of a Judge of the Supreme Court, for the six years next ensuing; and on receiving and counting out the ballots, it appeared that Mr. Henry L. Benning was duly elected.

They then proceeded to the election of a Comptroller General; and upon receiving and counting out the ballots, it appeared that Mr. Ezekiel Candler was duly elected.

They then proceeded to the election of a Surveyor General; and on receiving and counting out the ballots, it appeared that Pleasant M. Compton was duly elected.

They then proceeded to the election of a Treasurer; and on receiving and counting out the ballots, it appeared that Mr. John B. Trippe was duly elected.

They then proceeded to the election of a Secretary of State; and on receiving and counting out the ballots, it appeared that Mr. Elihu P. Watkins was duly elected.

The Senate then withdrew to their chamber.

On motion of Mr. McDougald, one hundred and fifty copies of the Joint Standing Committees, appointed by the Speaker, on the part of the House, were ordered to be printed for the use of the House.

On motion of Mr. McDougald, the House then adjourned until to-morrow morning, 10 o'clock.

### WEDNESDAY, NOVEMBER 16th, 1853.

The House met pursuant to adjournment.

On motion of Mr. Gartrell, the rules of the House were suspended, and the following bill of the Senate was taken up and read the third time, and passed, to wit:

A bill to be entitled an act to alter and change the time of holding the Inferior Courts for the county of Paulding.

On motion of Mr. Smith of DeKalb, the rules of the House were suspended, and a committee of three, consist-

ing of Messrs. Smith of DeKalb, McDougald and Irvin, were appointed to compare the manuscript with the printed copy of the testimony and other proceedings, in the case of the State vs. Elijah Bird, who has been convicted of the crime of murder, in DeKalb county.

The House then proceeded with the call of the counties.

Mr. Dial reported

A bill to be entitled an act to compensate the Grand and Petit Jurors of Appling county ; which was read the first time. Also,

A bill to be entitled an act to regulate the driving of cattle from Florida into this State ; which was read the first time.

Mr. Green reported

A bill to be entitled an act to amend the first Section of the third Article of the Constitution of this State ; which was read the first time.

Mr. Latham offered the following resolution :

*Resolved*, That both branches of the General Assembly, do meet in the Representative Chamber, on Monday, the 21st instant, for the purpose of electing a General Superintendent of the Western and Atlantic Rail Road, subject however, to subsequent legislation ; and also, to elect a Public Printer for the State, for two years ensuing.

Mr. Richardson moved to strike out the words, "the 21st instant," which was lost.

Mr. Pottle moved to strike out all that part of the resolution which relates to the election of a Superintendent of the Western and Atlantic Rail Road.

On which motion the yeas and nays were required to be recorded, and are : yeas 59, nays 65.

Those who voted in the affirmative are. Messrs,

Alread,	Crawford,	McMillan,
Anderson,	Dawson,	McMullin,
E. B. Arnold,	Dodds,	Mc Whorter,
Armstrong,	Dubignon,	Moody,
Barnes,	Grant,	Paris,
Bell,	Gross,	Pickett,
Bostwick,	W P Harden,	Pottle,
Brown,	Harris,	Powell,
Calloway,	Hardeman,	Radford,
Cameron,	Henderson,	Redding,
Carlton,	Hood,	Reynolds,
Champion,	Irwin,	Richardson,
Clark,	Jones,	Riley,
Benj. Cleveland,	Martin,	Rucker,
Cody,	Masters,	Shewmake,

Stapleton,	W. A. Walton,	Williford,
Staten,	Walker,	Woodward,
Stephens,	A. J. Williams,	Young,
L. S. Stewart,	Williamson,	Yopp.
Thornton,	Wilson,	

Those who voted in the negative are Messrs.

Adams,	Hays,	M. Reid,
Andrews,	Hawkins,	Rice,
W. W. Arnold,	Hardison,	R. A. Robinson,
Boatright,	Headen,	N. Robinson,
Bridges,	Holland,	Rowell,
W. C. Cleveland,	Hudson,	Rumph,
Clements,	Keith,	Shine,
Crittenden,	Lamar,	G. K. Smith,
Denham,	Latham,	W. R. Smith,
Darden,	Leverett,	W. Smith,
Dial,	Linn,	J. Stewart,
Eberhart,	Maxwell,	Stokes,
Fannin,	Manor,	Strickland,
Fields,	McComb,	Strother,
Fish,	McCurdy,	Sweat,
Gartrell,	McDougald,	J. Taylor,
Green,	McLean,	D. W. Taylor,
Griffin,	Mobley,	Trice,
James Hardin,	Moughon,	Turner,
Haynie,	Nichols,	J. H. Walton,
Harrison,	Poole,	Whitworth.
Hatton,	G. R. Reid,	

So the motion to strike out was lost.

The question then recurred upon the adoption of the original resolution, and after some discussion had thereon, Mr. McDougald moved to lay the whole subject upon the table for the present; upon which motion, the yeas and nays were required to be recorded, and are : yeas 67, nays 60.

Those who voted in the affirmative are, Messrs.

Alread,	Calloway,	Dawson,
Anderson,	Cameron,	Dodds,
E. B. Arnold,	Benj. Cleveland,	Dubignon,
Armstrong,	Carlton,	Fannin,
Barnes,	Champion,	Grant,
Bell,	Clark,	Gross,
Bostwick,	Cody,	W. P. Harden,
Brown,	Crawford,	Harris,

Hartell,	Moody,	Stephens,
Hardeman,	Paris,	L. S. Stewart,
Hendrick,	Pickett,	Strickland,
Hood,	Pottle,	Strother,
Irwin,	Powell,	Thornton,
Jones,	Radford,	W. A. Walton,
Martin,	Redding,	J. H. Walton,
Masters,	Reynolds,	Walker,
Maxwell,	Richardson,	A. J. Williams,
McGregor,	Riley,	Wilson,
McMullin,	Rucker,	Williford,
McMillan,	Shewmake,	Woodward,
McWhorter.	Stapleton,	Young,
Mobley,	Staten,	Yopp.

Those who voted in the negative are, Messrs.

Adams,	Hatton,	Poole,
Andrews,	Hays,	G. R. Reid,
W W Arnold,	Hardison,	M. Reid,
Boatright,	Headen,	Rice,
Bridges,	Henderson,	R. A. Robinson,
W C. Cleveland,	Holland,	N. Robinson,
Clements,	Hudson,	Rowell,
Crittenden,	Keith,	Rumph,
Denham,	Lamar,	Shine,
Durden,	Latham,	G. K. Smith,
Dial,	Leverett,	W R. Smith,
Eberhart,	Linn,	W Smith,
Fields,	Manor,	J. Stewart,
Fish,	Mays,	Stokes,
Gartrell,	McComb,	Sweat,
Green,	McCurdy,	J. Taylor,
Griffin,	McDougald,	D. W. Taylor,
James Hardin,	McLean,	Trice,
Haynie	Monghon,	Turner,
Harrison,	Nichols,	Whitworth.

So the motion to lay upon the table prevailed.

The following message was received from the Senate, by Mr. Moore, their Secretary :

*Mr. Speaker* :—The following resolution has been agreed to by the Senate, in which they ask the concurrence of the House of Representatives, to-wit : A resolution appointing a committee, to join such committee as may be appointed on the part of the House, to examine the Executive Mansion furniture and out buildings, and ascertain what repairs, if any, are necessary to be made thereto. Senate Committee Messrs. Robinson, Camden and Hill. Also, a resolution

That both branches of the General Assembly will convene in the Representative Hall, at 12 o'clock, M. on Thursday, the 17th instant, for the purpose of electing a State Printer, for the next two years ensuing.

Mr. McLean reported,

A bill to be entitled an act to improve the navigation of the Great Ogeechee River, so far as the appointment of new commissioners are concerned; which was read the first time. Also,

A bill to be entitled an act to change the time of holding the fall terms of the Superior Court of Bulloch county;— which was read the first time.

Mr. Harrison reported

A bill to be entitled an act to incorporate the Oregon Steam Boat Company of Georgia; which was read the first time.

Mr. Bridges reported

A bill to be entitled an act for the relief of William Taylor of the county of Coweta; which was read the first time.

Mr. Paris introduced

A bill to be entitled an act to incorporate the Dade County Iron Manufacturing and Coal Company; which was read the first time.

The following message was received from the Senate, by Mr. Moore, their Secretary :

*Mr. Speaker:*—The Senate has passed a bill to be entitled an act to add an additional section to the first Article of the Constitution.

On motion of Mr. Hardeman, the rules of the House were suspended, and the resolution of the Senate, in relation to bringing on the election of a State Printer, on Thursday, the 17th instant, was taken up and read; and after some discussion had thereon, on motion of Mr. McDougald, the whole subject was laid on the table for the present.

The House then resumed the call of the counties.

Mr. Paris reported

A bill to be entitled an act to authorize the Wills Valley Rail Road Company, incorporated by the Legislature of the State of Alabama, and any Rail Road incorporated by the State of Alabama, that may be associated with the Wills Valley Rail Road Company, to construct a Rail Road through the county of Dade, and State of Georgia, to some point on the Nashville and Chattanooga Rail Road, in said county of Dade, and State of Georgia, and for other purposes; which was read the first time.

Mr. Henderson reported

A bill to be entitled an act to remove an election precinct in the county of DeKalb, which was read the first time.— Also,

A bill to be entitled an act to provide for the payment of

Nathan Center, of the county of DeKalb, a teacher of poor children in said county, in the years 1850, 1851 and 1852, which was read the first time.

On motion of Mr. Trice, the House adjourned until three o'clock this evening.

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### THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. Smith of DeKalb, presented the petition of John M. Carlton, signed by himself and sundry citizens of DeKalb, asking an appropriation in consequence of injuries received by him by the explosion of the engine "Bobuel," on the Western & Atlantic Rail Road ; which was read. Also,

The petition of Mary Horton, and others, asking an appropriation for the loss she has sustained by the killing of her son, on the Western and Atlantic Rail Road ; which was also read. Also,

A memorial asking the Legislature to increase the capital stock of the Bank of Atlanta, to a sum not exceeding one million of dollars ; which was read.

The House then proceeded to the call of the counties.

Mr. Martin reported

A bill to be entitled an act to authorize the Ordinary or School Commissioner of Elbert county, to pay the arrearages due the teachers of poor children of said county, for services rendered in 1851 ; which was read the first time.

Mr. Pickett reported

A bill to be entitled an act to authorize Isaac Mullenax of the county of Gilmer, to practice medicine on the Botanic system and to charge for the same ; which was read the first time.

Mr. Green reported

A bill to be entitled an act to encourage Internal Improvements in the State of Georgia ; which was read the first time.

Mr. Pickett reported

A bill to be entitled an act to authorize the Governor of this State, to issue State Bonds to the Ellijay Rail Road Company, and for other purposes ; which was read the first time.

On motion of Mr. Poole, the rules of the House were suspended, and leave of absence was granted to the Committee on the Penitentiary for the balance of the evening.

The House then proceeded with the call of the counties.

Mr. Hudson reported

A bill to be entitled an act to authorize his Excellency the Governor, to draw his warrant on the Treasury, in favor of James R. Henry, of Gwinnett county, for the sum of twelve

dollars and fifteen cents, the same being the amount of one half of a double tax by him paid, for the year 1853; which was read the first time.

Mr. Whitworth reported

A bill to be entitled an act to authorize Fleming J. Peters, or the county of Gwinnett, and Isaac N. McMillin, of the county of Jackson, infirm men, as itinerant traders, to vend any goods, wares and merchandize, within the sixth Congressional District; which was read the first time.

Mr. Keith reported

A bill to be entitled an act to authorize the county of Lumpkin, to retain the State Tax for the years 1854 and 1855; which was read the first time.

Mr. Powell reported

A bill to be entitled an act to reduce the Sheriff's Bond of Decatur county; which was read the first time.

Mr. Jones reported

A bill to be entitled an act for the relief of William P. Allen and Elizabeth Kooneman, of the county of Burke; which was read the first time.

Mr. Keith reported

A bill to be entitled an act to extend the jurisdiction of the Justices of the Peace of Lumpkin county; which was read the first time.

Mr. Riley offered the following resolution:

*Resolved*, That before this House will take any action on bills for new counties, it shall be required of those presenting the said bills, to present to this body a map of the proposed new county, with its boundaries, and a correct map of the counties, out of which the said new counties are to be made.

Mr. Jones reported

A bill to be entitled an act for the relief of Benjamin D. Hill, of the county of Burke; which was read the first time.

Mr. Headen reported

A bill to be entitled an act to alter and amend the third Article of the Constitution of this State, so as to give the election of an Attorney and Solicitor General, for the several judicial circuits in this State, to the people; which was read the first time.

Mr. Masters reported

A bill to be entitled an act to repeal an act entitled an act more effectually to prevent fraud in elections in this State, and to detect and punish the same, approved January 27th, 1852; which was read the first time. Also,

A bill to be entitled an act to repeal that part of the tenth Section of an act, entitled an act for the government and management of the Western and Atlantic Rail Road, approved January 15th, 1852, which relates to the election of

Superintendent of said Rail Road ; which was also read the first time.

Mr. Reid, of Irwin, reported

A bill to be entitled an act to repeal an act entitled an act to provide for the trial by the Superior Courts of this State, of any slave or slaves, or free persons of color, charged with any capital offence against the laws of this State, approved 14th February, 1850 ; which was read the first time.

Mr. McMullin reported

A bill to be entitled an act to establish an additional election precinct in the county of Macon ; which was read the first time.

Mr. Brown reported

A bill to be entitled an act to appropriate money to Morgan Kemp, former sheriff of the county of Marion, for services rendered by him, in and about the sale of certain fractional lots of land, in the county of Marion, for the State ; which was read the first time.

Mr. McDougald reported

A bill to be entitled an act to carry into effect the last paragraph of the eighth Section of the third Article of the Constitution of this State, and to secure to all persons in this State, the right to advocate, argue and defend his or her cause, before any court or tribunal, either in person, or by any number of counsel, attorneys, solicitors, or advocates, deemed expedient by any such person, or by both ; and to repeal and render null and void a certain rule or law therein specified, and for other purposes therein named ; which was read the first time.

Mr. Lamar reported

A bill to be entitled an act to add additional sections to the thirteenth division of the penal code of the State of Georgia, and to provide for the punishment of free white persons, for aiding or assisting negroes, or free persons of color, lawfully committed or detained in any jail, to escape therefrom, and for other purposes ; which was read the first time.

Mr. Clark reported

A bill to be entitled an act to remove the precinct, now at Moses Wright's house, and known as State's Rights, in 230th District, Georgia Militia, in the county of Oglethorpe, to Wood Stock, in said county, and for other purposes therein named ; which was read the first time.

Mr. Clark introduced a resolution ; which was read as follows :

*Resolved*, That so much of the Governor's message, as relates to the subject of State printing, be referred to the Committee on Public Printing, and that said committee be requested to examine the whole subject, and report, by bill or otherwise, at an early day

Mr. Arnold of Pike, reported



A bill to be entitled an act to define the liability of Rail Road Companies, in cases where passengers are killed or wounded, through the negligence or carelessness of their agents or employees, and to provide a remedy for the same, and for other purposes ; which was read the first time.— Also,

A bill to be entitled an act to make certain persons therein mentioned, competent jurors and witnesses, and to declare the law therein ; which was read the first time.

On motion of Mr. Haynie, Messrs, Haynie, Clark and Fields, a Special Committee, to whom was referred a bill of the House, were excused for the balance of the evening from attendance on the House.

Mr. Hendrick reported

A bill to be entitled an act to incorporate an Academy, in the seventh district, Randolph county, and appoint trustees for the same ; which was read the first time.

Mr. Walton, of Richmond, reported

A bill to be entitled an act to alter and amend the oath to be administered to voters, at elections in this State ; which was read the first time.

Mr. McMullin offered the following resolution :

*Resolved*, That a committee of three be appointed by the Speaker, to join a like committee of the Senate, to examine the Executive mansion ; which was taken up and agreed to ; and a committee was appointed, consisting of Messrs. McMullin, Phillips, and Arnold of Pike, under that resolution.

Mr. Mobley reported

A bill to be entitled an act to alter and amend an act, entitled an act for the government and management of the Western and Atlantic Rail Road, approved January 15th, 1852. and give the election of the Superintendent to the people ; which was read the first time.

Mr. Phillips reported

A bill to be entitled an act to appropriate money from the Treasury, for certain purposes ; which was read the first time.

Mr. Gross reported

A bill to be entitled an act to repeal an act entitled an act, passed 1851 and 1852, establishing election precincts at Thomas H. Burns' mills, in the 34th district, Georgia Militia, in Scriven county ; which was read the first time.

Mr. Crittenden reported

A bill to be entitled an act to authorize the Tax Collector of Spaulding county, to pay over the State tax for the year 1854, to the Inferior Court, &c. ; which was read the first time.

Mr. Williford reported

A bill to be entitled an act to compensate the Petit Jurors of the county of Stewart ; which was read the first time.

Mr. Rumph reported

A bill to be entitled an act to compel persons, who own, or may hereafter own, lands, improved or unimproved, in the counties of Wayne and Union, to give in and pay taxes on the same, in said counties ; which was read the first time Also,

A bill to be entitled an act to authorize the Justices of the Inferior Courts of Wayne county, to receive the State tax of Wayne county for the years 1854 and 1855, for the purpose of building a court house in said county, and to authorize and require the Tax Collector of said county of Wayne, for the years 1854 and 1855, to pay over the State tax of said county for said years, to the said Justices of the Inferior Court ; which was read the first time.

Mr. Irwin reported

A bill to be entitled an act to amend the claim laws of this State ; which was read the first time. Also,

A bill to be entitled an act to allow certain persons therein named to administer oaths ; which was read the first time.

Mr. Irwin offered the following resolutions ; which were read as follows :

*Resolved*, By the Senate and House of Representatives of the State of Georgia, in General Assembly met, that while we approve the sentiments and doctrines promulgated in the Inaugural Address of President Pierce, we can only regard his attempts to produce harmony in the National Democratic party, by inviting known Free Soilers to participate in the administration of the Government, as a compromise of principle, and as an amnesty to factions, that have for years been arrayed against the Union and the Constitution.

*Resolved*, That the sentiment of devotion to the Union and the Constitution, carried President Pierce into power ; and that all efforts by his administration, to force the recognition of Free Soilers as sound and true men, by placing them in offices of honor and profit, are in direct opposition to that great national sentiment, and an outrage upon the popular judgment.

*Resolved*, That the appointment of men to important offices, who were prominent actors in the Free Soil movement at Buffalo, in 1848, is an insult to the people of the South, and to the sound and true men of the North.

*Resolved*, That we heartily sympathize with the Honorable Daniel S. Dickenson, of New York, and his noble associates, in their efforts to purge the National Democratic party of its Free Soil elements, and that we hereby tender to them our heartfelt gratitude, for their patriotic devotion to the Union and the Constitution.

*Resolved*, That it is inexpedient and unjust for Congress to appropriate money from the public treasury, to aid in constructing the great Rail Road, now in contemplation from the Mississippi to the Pacific, or to grant the public lands, for a

like purpose—they being the property of all the States, old as well as new.

Mr. Phillips moved to print two hundred copies of the above resolutions, for the use of the House

Whereupon, the yeas and nays were required to be recorded, and are : yeas 51, nays 59.

Those who voted in the affirmative are, Messrs.

Alread,	Grant,	Richardson,
Anderson,	Gross,	Riley,
E. B. Arnold,	W. P. Harden,	Rucker,
Armstrong,	Harris,	Shewmake,
Bell,	Hatton,	Stapleton,
Bostwick,	Hardeman,	Staten,
Brown,	Hood,	L. S. Stewart,
Cameron,	Irwin,	Strother,
Carlton,	Martin,	Thornton,
Champion,	Maxwell,	Turner,
Clark,	McMullin,	W. A. Walton,
Benj. Cleveland,	McWhorter,	J. H. Walton,
Cody,	Mobley,	Walker,
Dawson,	Moody,	A. J. Williams,
Dodds,	Paris,	Williamson,
Dubignon,	Pottle,	Williford,
Fannin,	Radford,	Woodward.

Those who voted in the negative are, Messrs.

Adams,	Hardison,	Redding,
Andrews,	Hamilton,	G. R. Reid,
W. W. Arnold,	Headen,	M. Reid,
Bridges,	Henderson,	Rice,
W. C. Cleveland,	Hendrick,	R. A. Robinson,
Clements,	Holland,	N. Robinson,
Crawford,	Hudson,	Rowell,
Crittenden,	Jones,	Rumph,
Denham,	Keith,	Shine,
Durden,	Lamar,	J. C. Smith,
Dial,	Latham,	W. R. Smith,
Eberhart,	Leverett,	W. Smith,
Fields,	Linn,	J. Stewart,
Fish,	Masters,	Stokes,
Gartrell,	Manor,	Strickland,
Green,	McDougald,	Sweat,
James Hardin,	McLean,	D. W. Taylor,
Haynie,	Nichols,	Whitworth,
Harrison,	Phillips,	Young.
Hawkins,	Pickett,	

So the motion to print the resolutions was lost.

On motion, the House adjourned until 10 o'clock to-morrow morning.

THURSDAY, NOVEMBER 17th, 1853.

The House met pursuant to adjournment.

Mr. Irwin moved to reconsider so much of the Journals of yesterday, as relates to the printing of two hundred copies of certain resolutions offered by himself on yesterday.

Mr. Lamar called for the previous question ; and on the motion, "Shall the call for the previous question be sustained ?" the yeas and nays were required to be recorded, and are : yeas 72, nays 54.

Those who voted in the affirmative are, Mesrs.

Adams,	Hardison,	M. Reid,
Alread,	Hamilton,	Rice,
Andrews,	Headen,	R. A. Robinson,
W W Arnold,	Henderson,	N. Robinson,
Bridges,	Hendrick,	Rowell,
Clark,	Holland,	Rumph,
W. C. Cleveland,	Hudson,	Shine,
Crawford,	Jones,	J. C. Smith,
Crittenden,	Keith,	G. K. Smith,
Denham,	Lamar,	W R. Smith,
Durden,	Latham,	W Smith,
Dial,	Leverett,	J. Stewart,
Eberhart,	Linn,	Stokes,
Fields,	Masters,	Strickland,
Fish,	Manor,	Sweat,
Gartrell,	Mays,	J. Taylor,
Green,	McComb,	D. W. Taylor,
Griffin,	McDougald,	Trice,
James Hardin,	McLean,	Turner,
Haynie,	Moughon,	Walker,
Harrison,	Nichols,	Whitworth,
Hatton,	Poole,	Wilson,
Hays,	Redding,	Willitord,
Hawkins,	G. R. Reid,	Young.

Those who voted in the negative are, Messrs.

Anderson.	Cameron,	Fannin,
E. B. Arnold,	Carlton,	Grant,
Armstrong,	Champion,	Gross,
Barnes,	Benj. Cleveland,	W P Hardcu,
Bell,	Cody,	Harris,
Bostwick,	Dawson,	Harrell,
Brown,	Dodds,	Hardeman,
Calloway,	Dubignon,	Hood,

Irwin,	Paris,	Stephens,
Martin,	Pottle,	L. S. Stewart,
Maxwell,	Powell,	Strother,
McCurdy,	Radford,	Thornton,
McGregor,	Reynolds,	W. A. Walton,
McMullin,	Richardson,	J. H. Walton,
McMillan,	Riley,	A. J. Williams,
McWhorter,	Shewmake,	Williamson,
Mobley,	Stapleton,	Woodward,
Moody,	Staten,	Yopp.

So the call for the previous question was sustained.

And on the main question being put, the same was decided in the affirmative.

The question then recurred upon the motion to reconsider.

Whereupon, the yeas and nays were required to be recorded, and are : yeas 60, nays 69.

Those who voted in the affirmative are, Messrs.

Alread,	W. P. Harden,	Richardson,
Anderson,	Harris,	Riley,
E. B. Arnold,	Harrel,	Rucker,
Armstrong,	Hardeman,	Shewmake,
Barnes,	Hood,	Stapleton,
Bell,	Irwin,	Staten,
Bostwick,	Martin,	Stephens,
Brown,	Maxwell,	L. S. Stewart,
Calloway,	McCurdy,	Strother,
Cameron,	McGregor,	Thornton,
Carlton,	McMullin,	Turner,
Champion,	McMillan,	W. A. Walton,
Clark,	McWhorter,	J. H. Walton,
Benj. Cleveland,	Mobley,	Walker,
Cody,	Moody,	A. J. Williams,
Dawson,	Paris,	Williamson,
Dodds,	Pottle,	Wilson,
Fannin,	Powell,	Williford,
Grant,	Radford,	Woodward,
Gross,	Reynolds,	Yopp.

Those who voted in the negative are, Messrs.

Adams,	W. C. Cleveland,	Daignon,
Andrews,	Clements,	Dickson,
W. W. Arnold,	Crawford,	Ebertart,
Batrigh,	Crittenden,	Field,
Bridges,	Denham,	Fish,

Gartrell,	Lamar,	R. A. Robinson,
Green,	Latham,	N. Robinson,
Griffin,	Leverett,	Rowell,
James Hardin,	Linn,	Rumph,
Haynie,	Masters,	Shine,
Harrison,	Manor,	J. C. Smith,
Hatton,	Mays,	G. K. Smith,
Hays,	McComb,	W. R. Smith,
Hawkins,	McDougald,	W. Smith,
Hardison,	McLean,	J. Stewart,
Hamilton,	Moughon,	Stokes,
Headen,	Nichols,	Strickland,
Henderson,	Pickett,	Sweat,
Hendrick,	Poole,	J. Taylor,
Holland,	Redding,	Trice,
Hudson,	G. R. Reid,	Whitworth,
Jones,	M. Reid,	Young.
Keith,	Rice,	

So the motion to reconsider was lost.

On motion of Mr. Harrison, the rules of the House were suspended for the purpose of allowing him to introduce the following preamble and resolutions :

**WHEREAS**, the Savannah and Albany Rail Road Company has been organized under charter granted by the State of Georgia, with the purpose, if a charter can be obtained from the State of Alabama, of connecting the Atlantic Ocean, at Savannah, with the Gulf of Mexico, at Mobile, in, as nearly as practicable, a straight line between the two cities, with such branch roads as may be necessary ; and **whereas**, this line passing through the southern part of Georgia and Alabama, will be the means of furnishing, to a very large and fertile district of country, which must otherwise remain comparatively undeveloped, easy access to both the markets of the Gulf, and those of the Atlantic ; and **whereas**, aside from the great local advantage of the proposed road to the terminus, and to the intermediate territory of the two States, it will accomplish a purpose in the connection of the Gulf with the Atlantic, which has ever been deemed of great national importance. Therefore,

*Resolved*, By the Senate and House of Representatives of the State of Georgia in General Assembly met, that this General Assembly do respectfully request the General Assembly of the State of Alabama, if deemed consistent with the interest of that State, to grant a charter authorizing the construction of the Savannah and Albany Rail Road, from the line of Georgia on the Chattahoochee River to the city of Mobile, Alabama.

*Resolved*, That his Excellency the Governor be authorized

to appoint two suitable persons to communicate the views herein expressed to the General Assembly of the State of Alabama,

On motion of Mr. Ward, (Mr. McDougald being in the chair) the foregoing resolutions were taken up, and agreed to. And

On motion of Mr. Harrison, the clerk was instructed to communicate the same to the Senate immediately.

On motion of Mr. Latham, the rules of the House were suspended, and the House proceeded to the call of the counties.

Mr. McCurdy reported.

A bill to be entitled an act to lay out and form a new county out of the counties of Walker and Whitfield, and organize said new county ; which was read the first time.

The following message was received from the Senate, by Mr. Moore, their Secretary :

*Mr. Speaker*—The Senate has passed a bill to be entitled an Act for the relief of William Taylor of Macon county.

The House then proceeded to the call of counties.

Mr. Cleveland, of Crawford, reported

A bill to be entitled an act for the removal of the Seat of Government to the city of Macon ; which was read the first time.

Mr. McDonald reported

A bill to be entitled an act to confer certain privileges upon Joseph Neely of the county of Thomas, and render him capable of transacting business for himself ; which was read the first time. Also,

A bill to be entitled an act to confer certain privileges upon Francis M. Wilson of Thomas county, and make lawful his acts, and give him authority to transact business as though he was twenty-one years old, and for other purposes therein mentioned ; which was read the first time. Also,

A bill to be entitled an act to make penal the using of any poisonous substance, in any of the water courses in the county of Thomas, for the purpose of poisoning and catching fish ; which was read the first time.

Mr. Harrison reported

A bill to be entitled an act to incorporate the Merchants and Planters Bank ; which was read the first time.

Mr. McComb reported

A bill to be entitled an act to incorporate the Baldwin Blues Loan and Building Association ; which was read the first time.

Mr. Latham reported

A bill to be entitled an act to repeal the 2d section of the 9th division of the penal code of this State, and to substitute a section in lieu thereof, and for other purposes ; which was read the first time.

Mr. Rice reported

A bill to be entitled an act for the relief of Levi Burty, an infirm and indigent person ; which was read the first time.

Mr. Latham reported

A bill to be entitled an act to authorize and require the school commissioners of Campbell county, to pay Wily Scoggin, certain money for teaching poor children ; which was read the first time. And also,

A bill to be entitled an act for the relief of John Huie, of the county of Fayette ; which was read the first time.

Mr. Haynie reported

A bill to be entitled an act to incorporate the Rome Volunteers, and to extend to them certain privileges, and grant certain immunities ; which was read the first time.

Mr. Phillips offered the following resolution :

*Resolved*, (the Senate concurring,) That the Speaker appoint a committee of three, on the part of the House, to meet such committee as may be appointed by the Senate, to make suitable and proper arrangements for the usual christian observances of the approaching thanksgiving day.

Whereupon, the chair appointed, Messrs. Phillips, Linn and Trice that committee.

On motion of Mr. Phillips, the rules of the House were suspended, and the foregoing resolution was taken up, read and agreed to, And

On motion of Mr. Phillips, the clerk was directed to communicate the same to the Senate immediately.

The House then proceeded to the call of the counties.

Mr. Gartrell reported

A bill to be entitled an act to alter and change the names of certain persons therein mentioned, and for other purposes ; which was read the first time.

Mr. Sweat reported

A bill to be entitled an act to repeal an act, approved December 26th, 1851, to change the line between the counties of Ware and Wayne ; which was read the first time.

Mr. Williamson reported

A bill to be entitled an act to amend an act, to prevent controversies concerning the boundaries of lands in this State ; which was read the first time. Also,

A bill to be entitled an act to retain the taxes for the year 1854, for the purpose of building a jail in the county of Montgomery.

Mr. Gartrell reported

A bill to be entitled an act to authorize the Tax Collector of the county of Cobb, for the year 1854, to pay over to the Justices of the Inferior Court, the amount of State tax, and for other purposes therein mentioned ; which was read the first time.

Mr. Pickett reported



A bill to be entitled an act to authorize James C. Mulky to practice medicine, and charge for the same ; which was read the first time.

Mr. Riley reported

A bill to be entitled an act, to remove the Penitentiary of this State, from the place where it is now located, to Atlanta, in DeKalb county ; which was read the first time.

Mr. Walton, of Richmond, reported

A bill to be entitled an act to grant to tanners and copper-smiths, the lien or encumbrance, now enjoyed in this State, under the laws thereof, by masons and carpenters, on houses and the premises to which they may be attached ; which was read the first time.

Mr. Gross reported

A bill to be entitled an act to incorporate the Methodist Protestant Church at Sylvania, in Scriven county, and appoint trustees of the same ; which was read the first time.

On motion of Mr. Phillips, the rules of the House were suspended, and the following bills were taken up and read the second time :

A bill to be entitled an act to appropriate money from the Treasury for certain purposes.

A bill to be entitled an act to appropriate the sum of Ten thousand Dollars from the Treasury, for a contingent fund.

On motion of Mr. McDougald, the House then adjourned until 10 o'clock to-morrow morning.

## FRIDAY, NOVEMBER 18th, 1853.

The House met pursuant to adjournment.

On motion of Mr. Hardison, leave of absence was granted to Mr. Smith of Camden, on important business.

On motion of Mr. Cleveland of Crawford, leave of absence was granted to himself, for a few days after to-day.

On motion, leave of absence was granted to Mr. Grant, for a few days.

Also, to Messrs. Jones, Crittenden, Stewart and Boatright.

On motion of Mr. Phillips, the rules were suspended, and the House went into Committee of the Whole, Mr. Clark in the chair, and took up

A Bill to be entitled an Act to appropriate the sum of ten thousand dollars from the Treasury, as a contingent fund—and having spent some time therein, the Speaker resumed

the chair, and Mr. Clark, from the Committee, rose and reported the bill to the House. with an amendment.

The report as amended, was agreed to ; the bill was read the third time and passed.

On motion, the Clerk was instructed to alter the caption of the Act, so as to make it conform to the body of the bill.

On motion of Mr. Phillips, the rules were suspended, and the House went into Committee of the Whole, Mr. Clark in the chair, and took up

A Bill to be entitled an Act to appropriate money from the Treasury for certain purposes. After some discussion thereon, the same was reported back to the House, with an amendment.

The House then took up the report and agreed thereto, and the bill was read the third time, and passed under the title thereof.

The House then proceeded with the call of the counties.

Mr. Fannin reported

A Bill to be entitled an Act to amend an Act to make uniform a standard of weights and measures in this State, assented to December 23d, 1839 ; which was read the third time.

Mr. Pottle reported

A Bill to be entitled an Act to amend the second section of an Act entitled an Act to repeal the forty-eighth section, fourteenth division, of the penal code, in so far as it relates to capital cases, and to add a new section in lieu thereof, assented to December 23d, 1843 ; which was read the first time.

Mr. Hardin of Paulding, reported

A Bill to be entitled an Act to incorporate the town of Dallas, in the county of Paulding, and for other purposes therein named; which was read the first time.

Mr. Taylor of Wilkinson, reported

A Bill to be entitled an Act to compensate the Grand and Petit Jurors of the county of Wilkinson, and to provide for the payment of the same ; which was read the first time.

Mr. Rucker reported

A Bill to be entitled an Act to repeal an Act entitled an Act to provide for the compensation of Grand and Petit Jurors of the Superior and Inferior Courts of the county of Elbert, and to repeal all former laws, approved December 14th, 1849, and to revive an Act entitled an Act to compensate the Grand and Petit Jurors of the Superior and Inferior Courts of the county of Elbert, and to provide for the payment of the same, and to repeal all previous Acts upon that subject, so far as relates to the county of Elbert, approved December 8th, 1849 ; which was read the first time.

The following message was received from the Senate, by their Secretary, Mr. Moore :

*Mr. Speaker*—The Senate has concurred in the following resolution of the House of Representatives, to-wit :

A resolution asking from the State of Alabama a charter, authorizing the extension of the Albany Rail Road to the city of Mobile. Also,

A resolution appointing a Joint Committee to make arrangements for the usual Christian observance of the approaching Thanksgiving day.

The Senate Committee are, Messrs. Hull, Singleton and Mosely.

On motion of Mr. McDougald, the rules of the House were suspended, and the following bill was taken up and read the second time, and ordered to be committed for a third reading, to-wit :

A Bill to be entitled an Act for the pardon of Elijah Bird of the county of DeKalb, now under sentence of death, for the crime of murder.

The rules of the House were suspended, and Mr. Martin offered the following resolution :

*Resolved*, That the Comptroller General be instructed to make out and transmit to this House, the amount of taxes paid by each county in the State of Georgia, for the years 1851 and 1853.

On motion of Mr. McDougald, the rules of the House were suspended, and the following bills were taken up, read the second time, and ordered to be committed for a third reading, to wit :

A Bill to be entitled an Act to prevent the driving of cattle from distempered counties into the county of Gilmer.

A Bill to be entitled an Act to compensate Grand and Petit Jurors of the county of Habersham.

A Bill to be entitled an Act to incorporate Southworth Male and Female Academy, near the village of Corinth, Heard county, and to appoint trustees for the same.

A Bill to be entitled an Act to incorporate the Eatonton and Monticello Rail Road Company.

A Bill to be entitled an Act for the relief of Samuel Pascoe.

A Bill to be entitled an Act to compensate the Grand and Petit Jurors of the county of Lumpkin.

A Bill to be entitled an Act to change the line between the counties of Lumpkin and Hall.

A Bill to be entitled an Act to amend an Act entitled an Act to prescribe and point out the mode of collecting Coroners' fees, in the several counties of this State, passed December 22d, 1835.

A Bill to be entitled an Act to remove an election precinct in the county of Meriwether, therein specified.

A Bill to be entitled an Act to permit lunatics and idiots, and such persons as may have them in charge, to pass free on the Western and Atlantic Railroad, on their way to and from the Lunatic Asylum.

A Bill to be entitled an Act to authorize the Justices of the Peace to grant land warrants in the county of Montgomery.

A Bill to change the names of certain persons therein named, in the county of Emanuel.

A Bill to change the names of Amos Lingerfelt, Alfred Lingerfelt and Mary Lingerfelt, to Amos Young, Alfred Young and Mary Young.

A Bill to be entitled an Act to authorize certain commissioners in the city of Columbus, Georgia, to raise by lottery the sum of ten thousand dollars.

A Bill to be entitled an Act to authorize and require the Tax Collector of the county of Macon, to pay over the State tax for the year 1853, to the Justices of the Inferior Court of said county, for the use thereof.

The following bills were taken up, read the second time, and ordered to be engrossed for a third reading:

A Bill to be entitled an Act to reduce the Sheriffs' bonds of the Sheriffs hereafter to be elected in the county of Scriven, from ten thousand dollars, to the sum of five thousand dollars.

A Bill to be entitled an Act to authorize the Ordinary of Tattnall county, to keep his office at his own residence.

The following bills were read the second time, and committed for a third reading:

A Bill to be entitled an Act to alter and amend the fifth section of an Act to regulate the weighing of cotton or other commodities, in this State, approved December 8th, 1806.

A Bill to be entitled an Act to amend an Act entitled an Act to change the names and legitimize the persons therein named, approved January 21st, 1852, and for other purposes herein named.

A Bill to be entitled an Act to compel non-resident land owners to pay taxes for the same, in the county where the land lies, so far as relates to the county of Decatur, and to point out the mode of proceeding in cases of default.

A Bill to be entitled an Act to authorize the taxes of Appling county, for the years 1854 and 1855, to be retained by the Inferior Court of said county, to build an academy in the town of Holmesville, and for other purposes therein mentioned.

A Bill to be entitled an Act to authorize the formation of a Fire Company, in the city of Macon, to be called the "Protection Fire Company, No. 1," of the city of Macon, and to confer on the members thereof certain privileges and exemptions.

The following bill was taken up, read the second time,

and referred to the Committee on the Judiciary :

A Bill to be entitled an Act to compel the Sheriffs of the several counties in this State, to make certain levies or returns of *nulla bona* within a certain time prescribed therein, and for other purposes.

The following bills were read the second time, and committed for a third reading :

A Bill for the relief of Martha Ann Greeson and Emmet Greeson.

A Bill to be entitled an Act for the relief of Hannah Levy.

A Bill to be entitled an Act to authorize John A. Lyon of the county of Cherokee, to practice medicine on the botanic system, and to charge for the same.

A Bill to be entitled an Act to remove an impediment relative to James B. Goddard of the county of Carroll, and to authorize him to marry.

A Bill to be entitled an Act for the relief of Jesse Monroe of the county of Cherokee, and to appropriate certain monies for the benefit of certain persons therein named.

A Bill to be entitled an Act to alter and change the names of certain persons, and for other purposes therein mentioned.

A Bill to be entitled an Act to incorporate the Phi Delta Masonic Academy, at Phi Delta, Franklin county.

A Bill to be entitled an Act to repeal an Act entitled an Act to consolidate the offices of Receivers of tax returns and Tax Collectors, of this State, so far as relates to the county of Decatur, passed December 2d, 1841, and to provide for the election in future of one Tax Collector and one Tax Receiver, separately, in said county of Decatur, as provided for by the general laws of this State, in such cases.

A Bill to be entitled an Act to change the time of holding the Inferior Court of the county of Fayette.

A Bill to be entitled an Act to amend an Act incorporating the Georgia Military Institute, and to appropriate money therefor.

A Bill to be entitled an Act for the building and construction of a Rail Road from or near the town of Athens, to the Rabun Gap, or some point near thereto.

A Bill to be entitled an Act to authorize his Excellency the Governor, under certain conditions, to subscribe on the part of the State, to the capital stock of the North-Eastern Rail Road Company.

A Bill to be entitled an Act to indemnify Henry M. Burkhalter, for loss sustained by him in consequence of the State selling to him a fractional lot of land, to which it had no title.

Mr. Irwin moved that the House adjourn until 10 o'clock to-morrow morning.

Wherenpon the yeas and nays were required to be recorded, and are : yeas 53, nays 59.

Those who voted in the affirmative are, Messrs.

Adams,	Hardeman,	Radford,
Bostwick,	Hood,	Reynolds,
Brown,	Irwin,	Richardson,
Calloway,	Latham,	Rucker,
Cameron,	Linn,	Shewmake,
Carlton,	Martin,	Staten,
Champion,	Masters,	Stephens,
Clark,	Maxwell,	L. S. Stewart,
Cody,	McCurdy,	Strother,
Dawson,	McDonald,	Thornton,
Dodds,	McGregor,	Turner,
Dubignon,	McMullin,	J. H. Walton,
Fannin,	McMillan,	Walker,
Grant,	McWhorter,	A. J. Williams,
Gross,	Mobley,	Wilson,
W P. Harden,	Moody,	Woodard,
Harris,	Pottle,	Yopp.
Harrall,	Powell,	

Those who voted in the negative are, Messrs.

Alread,	Hardison,	Riley,
Andrews,	Hamilton,	R. A. Robinson,
W W Arnold,	Headen,	N. Robinson,
E. B. Arnold,	Henderson,	Rowell,
Bridges,	Hendrick,	Rumph,
Benj. Cleveland,	Hudson,	Shine,
Clements,	Jones,	J. C. Smith,
Crawford,	Keith,	G. K. Smith,
Crittenden,	Lamar,	W R. Smith,
Denham,	Manor,	Strickland,
Durden,	Mays,	Sweat,
Dial,	McComb,	J. Taylor,
Fields,	McLean,	D. W. Taylor,
Fish,	Nichols,	Trice,
Gartrell,	Paris,	W A. Walton,
Griffin,	Phillips,	Whitworth,
James Hardin,	Redding,	H. L. Williams,
Hatton,	G. R. Reid,	Williamson,
Hays,	M. Reid,	Young.
Hawkins,	Rice,	

So the motion was lost.

On motion of Mr. Cleveland of Habersham, leave of absence was granted to Mr. Hendrick, for a few days.

On motion, the House then adjourned until 3 o'clock, P. M.

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### THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

On motion of Mr. Mobley, leave of absence was granted to Mr. Hood and Mr. Williams of Sumpter, for a few days, on account of the illness of their families.

The House proceeded to the regular order of business, and the following bills were taken up, read a second time, and ordered to be committed for a third reading, to wit :

A Bill to be entitled an Act to make the Ordinaries in the several counties in the State, *ex-officio* Justices of the Peace, so far as to authorize them to administer oaths, witness deeds and other instruments of writing, and perform the marriage ceremony, and for other purposes.

A Bill to be entitled an Act to divorce George T Walker of DeKalb county, from his wife, Ann Walker, formerly Ann Canada, and to restore him to all the rights of an unmarried man.

A Bill to be entitled an Act to alter, change and amend the forty-sixth section of an Act to amend an Act entitled an Act to revise and amend the Judiciary system of this State, approved February 16th, 1799, so far as to dispense with an order of Court before bringing suit on Sheriffs' bonds ; and to require the Clerks of the Superior Courts to furnish a certified copy of said bonds, on the application of any person desiring to bring suit thereon, and to make such certified copy legal evidence in said suit, on the trial thereof.

A Bill to be entitled an Act to alter the first section of the third Article of the Constitution of the State of Georgia, so as to provide for the election of Judges of the Supreme Court by the people, instead of by the Legislature.

A Bill to be entitled an Act to appropriate money to improve the navigation of Broad River, from the Broad River Factory, up said river, to the junction of the North and South rivers, at the Madison county line.

A Bill to be entitled an Act to authorize and empower executors and administrators to make titles to lands in certain cases.

A Bill to be entitled an Act to amend an Act to carry into effect the amended Constitution of this State, in reference to the Ordinaries of said State, and for other purposes, as-

sented to January 21st, 1852, so far as concerns the recording of vouchers, and keeping open the office.

The following bill was taken up, read the second time, and referred to a committee of five, consisting of Messrs. Redding, Reynolds, Phillips, Arnold of Pike, and Thornton, to wit :

A Bill to be entitled an Act to amend an Act to define the liabilities of the several Rail Road companies in this State, for the loss of stock killed or wounded, by the running of cars or locomotives, and for other purposes.

On motion of Mr. Martin of Elbert, the rules of the House were suspended, and the resolution, instructing the Comptroller General to make out and transmit to this House, the amount of taxes paid by each county in the State of Georgia, for the years 1851 and 1853, was taken up.

Mr. Latham moved to amend said resolution, by adding the following words : "and also to give a statement of the amount of bank stock, rail road stock, real estate and city property, and that he be authorized to employ a Clerk ;" which amendment being accepted, the original resolution, as amended, was then agreed to.

The rules of the House were suspended, and the following bills were taken up, read a second time, and ordered to be committed for a third reading, to wit :

A Bill to be entitled an Act to appropriate a certain sum of money therein mentioned, for the relief of George M. Garrison of the county of Polk.

A Bill to be entitled an Act to open and construct a Rail Road, from the Western and Atlantic Rail Road, by Elijay, in Gilmer county, to the copper mines at or near the mouth of Fighting Town Creek, in the county of Gilmer.

The following bill was read the second time, and referred to the Committee on Banks :

A Bill to establish the City Bank, in the city of Augusta.

On motion, leave of absence was granted to Mr. Pottle of Warren.

A Bill to be entitled an Act to compensate Allen C. Harbin and others, of the county of Richmond, for services rendered.

A Bill to be entitled an Act to amend the Act to provide for the education of the poor, approved January 22d, 1852 and for other purposes therein mentioned.

A Bill to be entitled an Act to amend an Act entitled an Act of 1849 and 1850, allowing discoveries at common law, so as to be available in Justices Courts, on giving the opposite party ten days notice.

A Bill to be entitled an Act to authorize and require the citizens of Spaulding county to give in and pay their taxes in said county.

A Bill to be entitled an Act to lay out and form a new



county from the county of Stewart, and to provide for the organization of the same.

A Bill to be entitled an Act to authorize and require the Ordinaries of the counties of Macon and Sumter, to pay to Wm. M. Threlkeld of the county of Sumter, certain sums of monies, for teaching poor children of said counties, and for other purposes therein mentioned.

Mr. Gartrell reported as duly enrolled, the joint resolutions of the House and Senate in reference to the Albany and Mobile Rail Road.

On motion of Mr. Stewart the House then adjourned until 10 o'clock to-morrow morning.

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SATURDAY, NOVEMBER 19th, 1853.

The House met pursuant to adjournment.

On motion of Mr. Richardson, the rules of the House were suspended, to allow members to introduce bills.

Mr. Richardson reported

A Bill to be entitled an Act to repeal an Act to make permanent the public site of the county of Lee at Starkeville and for other purposes therein mentioned, approved December 6th, 1851, and to provide for a new county site and for other purposes herein mentioned ; which was read the first time.

Mr. Shewmake reported

A Bill to be entitled an Act to repeal so much of the 17th Section of an Act entitled an Act in reference to the government of the Ordinaries of this State, so far as relates to the recording of vouchers of executors, administrators and guardians, so far as relates to the county of Burke ; which was read the first time.

Mr. Staten reported

A Bill to be entitled an Act to compel all persons owning any land in this State to give in to the Receiver of tax returns the section, number and District where the land lies and punish all persons for failing to do so; which was read the first time.

Mr. Shewmake reported

A Bill to be entitled an Act to appropriate money for the purpose of repairing the State House and making improvements about the grounds thereof and also for repairs of the Executive mansion ; which was read the first time.

Mr. Rumph offered a resolution, which was read as follows :

*Resolved*, That the House of Representatives will not recognise any Act or pass any law changing the residence of

any person or persons from one county to another or change the line between any of the counties of the State except the Act be supported by a petition from the person or persons whose residence is to be changed by said Act, with the name or names of the person or persons inserted in said petition.

The following message was received from his Excellency the Governor, by Mr. DeGraffenreid, his Secretary :

*Mr. Speaker*—I am directed by his Excellency, the Governor, to transmit to this branch of the General Assembly a communication in writing with accompanying documents.

On motion of Mr. McDougald, the communication from his Excellency, the Governor, was taken up and read as follows :

*To the Senate and House of Representatives :*

I herewith transmit a communication from the Hon. Mark A. Cooper, and my reply, which fully disclose the object thereof.

Mr. Cooper proposes to furnish the State all the iron and castings which she may require for the use of her Rail Road and Penitentiary at the price of three and one half cents per pound average, in consideration that the State will loan him her credit to the amount of eighty-five thousand dollars, in the form of her bonds payable at the usual time and rate, upon the faith of undoubted personal security—a mortgage on real estate equal in value to double the amount of the loan.

The object he seeks to accomplish by this arrangement is not only to enable him successfully to prosecute the enterprise in which he is engaged, but to contribute to the vast iron resources of the State, by exhibiting the fruits of perseverance and energy. Having no authority to act, but deeming the matter worthy of consideration I submit it to the Legislature.

HERSCHEL V. JOHNSON.

Mr. Crawford moved to refer the message of his Excellency, the Governor, to a special Committee of seven; which was agreed to.

Whereupon the Chair appointed Messrs. Crawford, Lynn, Latham, Camden, McCurdy, Calloway and Walton of Richmond, that Committee.

Mr. Crawford moved that one hundred and fifty copies of the Governor's message and accompanying documents be printed for the use of the House; which motion to print was lost.

Mr. Yopp offered the following resolution :

*Resolved*, That on and after to day, the regular hours of meeting of the House of Representatives shall be 9 o'clock A. M. and 3 o'clock P. M. and that the afternoon session

shall be devoted to reading bills of the Senate the first and second time, and bills of the House the second time, until otherwise ordered.

On motion of Mr. Clark, the resolution in relation to the Public Printing was taken up and agreed to.

Mr. Yopp moved that his resolution in relation to the future meeting and adjournment of the House, be taken up, which motion being put was lost.

Mr. Shewmake offered the following resolution, to wit :

*Resolved*, That no new matter shall be introduced in the House of Representatives after the 6th of December, unless by consent of two thirds of the members present.

The rules of the House were suspended to allow members to introduce bills.

Whereupon Mr. Smith of DeKalb reported

A bill to be entitled an act for the relief of William Crowell and William C. Russeau, of the county of DeKalb ; which was read the first time.

Mr. Smith of Jasper reported

A bill to be entitled an act to incorporate Walker's Academy in Jasper county and to appoint trustees for the same ; which was read the first time.

Mr. Riley reported

A bill to be entitled an act to incorporate the Forsyth and Lumpkin Rail Road ; which was read the first time.

Mr. Rucker offered the following resolution, which was taken up, read and adopted :

*Resolved*, That that portion of Governor Cobb's message relating to the Lemmons case be referred to the Committee on the State of the Republic.

The Committee on the Executive Mansion, through their Chairman, Mr. McMullin, made the following report :

The Joint Committee appointed to examine into the condition of the Executive Mansion, the furniture thereof and outbuildings and enclosures belonging thereto, having discharged that duty, beg leave to report that in order to make the repairs necessary and furnish the mansion so as to make it anything like neat and comfortable, recommend an appropriation of three thousand dollars be made for that purpose. All of which is respectfully submitted.

The following Message was received from his Excellency the Governor, through Mr. DeGraffenried, his Secretary :

*Mr. Speaker*:—I am directed by his Excellency the Governor, to deliver to this branch of the General Assembly, a communication in writing.

On motion of Mr. McDougald, the communication from his Excellency the Governor, was taken up and read as follows :

*To the Senate and House of Representatives :*

The term for which the Hon. Engenius A. Nisbet was elected and commissioned as a Judge of the Supreme Court for the correction of errors will expire on the 24th of December next. He has resigned that office, and in obedience to constitutional obligations, I hereby communicate the fact to both branches of the General Assembly.

HERSCHEL V JOHNSON.

The committee appointed to compare the printed with the manuscript copy of the evidence and proceedings of the case of the State against Elijah Bird, who is under sentence of death for the crime of murder, in the county of DeKalb, made the following report, through their Chairman, Mr. Smith, of DeKalb, that after a careful examination and comparison of the printed evidence with the original certified manuscript evidence in the case of the State against Elijah Bird, that they find no discrepancy, but they are substantially alike. Your committee ask, therefore, to be discharged from the further consideration of the subject.

Mr. Riley reported

A bill to be entitled an act to authorize the Governor to appropriate money to aid in the construction of the Forsyth and Lumpkin Rail Road; which was read the first time.

Mr. Cleveland of Habersham, reported

A bill to be entitled an Act to amend the Militia laws of this State, so as to facilitate the collection of fines assessed by courts of enquiry and for other purposes; which was read the first time.

The following message was received from the Senate, by Mr. Moore, their Secretary:

*Mr. Speaker*—The Senate has agreed to a resolution repealing a resolution heretofore passed, bringing on the election of a United States Senator.

Mr. Dial reported

A bill to be entitled an Act to amend the 6th Section of the 3d Article of an Act entitled an Act to appropriate money to improve the navigation of the Altamaha, Ocmulgee and Oconee rivers and appoint commissioners for the same, approved January 19th, 1852, so far as to change the names of commissioners and for other purposes therein mentioned; which was read the first time.

Mr. Manor reported

A bill to be entitled an Act to refund certain moneys to the county of Cobb; which was read the first time.

Mr. Dodds reported

A bill to be entitled an Act to incorporate the Stockholders of the Newnan and Griffin Rail Road Company; which was read the first time. Also,

A bill to be entitled an act for the relief of Elizabeth J Saffold ; which was read the first time.

Mr. Harrison reported

A bill to be entitled an act to repeal an act to extend the civil jurisdiction of the Justices of the Peace for the City of Savannah and for other purposes ; which was read the first time.

Mr. Walton of Richmond reported

A bill to be entitled an act to amend an act for the better protection and security of orphans and their estates, approved February 18th, 1799, by extending the provisions of the 5th Section thereof to trustees and their estates ; which was read the first time.

Mr. Thornton reported

A bill to alter and amend an act entitled an act to exempt from levy and sale under execution certain property therein named, assented to December 11th, 1841 ; which was read the first time.

Mr. Clements reported

A bill to be entitled an act to change the name of Amanda Ransom to that of Amanda Robinson and make her the legal heir of Fulton Robinson and for other purposes.

Mr. Clements also offered a petition, which he moved to refer to the Committee on Petitions without being read.

The following message was received from his Excellency the Governor, by Mr. DeGraffenried, his Secretary :

*Mr. Speaker*—His Excellency the Governor, has assented to and signed a resolution authorizing the appointment of two suitable persons to communicate with the General Assembly of the State of Alabama, upon the subject of granting a charter for the construction of the Savannah and Albany Rail Road from the line of Georgia on the Chattahoochee river to the city of Mobile, Alabama.

Mr. Harrall reported

A bill to be entitled an act for the right of opening and keeping open Big Creek and Bluff Creek in the county of Pulaski ; which was read the first time.

Mr. Walton of Richmond reported

A bill to be entitled an act to amend an act to appoint certain commissioners for the Savannah river, approved February 23d, 1850 ; which was read the first time.

Mr. McDougald reported

A bill to be entitled an act for the relief of William Crew of the county of Muscogee, and to appropriate to him a certain amount of money therein specified ; which was read the first time.

Mr. McMullin reported

A bill to be entitled an act to authorize the commissioners of the Poor School Fund of Macon county, to pay money for teaching children entitled to the benefits of the Poor School

Fund, to Philip H. Dessau ; which was read the first time.

Mr. Haynie reported

A bill to be entitled an act to authorize Dr. Thomas W. Leech, of the village of Cave Spring, and county of Floyd, to practice medicine, and charge for and collect the same ; which was read the first time.

Mr. Gross reported

A bill to be entitled an act to appropriate money for the purpose therein designated ; which was read the first time.

Mr. Young reported

A bill to be entitled an Act to appropriate money to pay Captain Samuel Patterson's Company of Union Mounted Volunteers, and for other purposes therein mentioned ; which was read the first time.

Mr. Green reported

A bill to be entitled an act to authorize the Governor to issue, or caused to be issued to Mrs. Eliza J. Martin, or her assignee, a grant for lot No. 4, in square 44, of the city of Macon ; which was read the first time.

Mr. McDougald reported

A bill to be entitled an act to authorize and require the Treasurer of the Poor School Fund. in the county of Muscogee, to pay, before any other claims, over to E. H. Calhoun, Wm. H. Grove, John P. Hodge and Miss Susannah Wallis and to each and every other teacher of poor children, in said county, for the years 1851 and 1852, out of the Poor School Fund thereof the full amount of their accounts and all arrearages due them for teaching poor children in said years, out of any funds in hand or out of the first that may hereafter be received, and for other purposes therein named ; which was read the first time. Also,

A bill to be entitled an act for the relief of John Usry of the county of Warren, and to appropriate to him a certain sum of money therein specified ; which was read the first time.

On motion of Mr. McDougald, the rules of the House were suspended, and the bill to pardon Elijah Bird was made the special order of the day for Tuesday next.

On motion, leave of absence was granted to the Speaker, and also to Messrs. Lamar, Griffin and Harrison.

On motion, the House then adjourned until Monday morning, 10 o'clock.

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MONDAY, NOVEMBER 21st, 1853.

The House met pursuant to adjournment.

The Speaker being absent, on motion of Mr. Young, Mr. McDougald was called to preside as Chairman, for the purpose of organizing the House.

Mr. Gartrell moved that Mr. Reynolds be chosen as Speaker *pro tempore*, which motion was agreed to.

On motion of Mr. Gartrell, a committee of three was appointed by the Chairman, to wait upon the Speaker elect *pro tem.*—notify him of his election, and conduct him to the Chair.

The following named gentlemen were appointed that committee; Messrs. Gartrell, Young and Mobley. They having discharged their duty, the Speaker elect took the chair, from whence he tendered his thanks to the House.

Mr. Yopp moved the suspension of the rules, to take up the resolution upon the subject of the meeting of the House in the morning and evening, and as to what should be the regular order of business during the evening sessions.

On which motion, the yeas and nays were required to be recorded, and are : yeas 53, nays 53.

Those who voted in the affirmative are, Messrs.

Alread,	W. P. Harden,	Powers,
Anderson,	Hardeman,	Radford,
E. B. Arnold,	Headen,	M. Reid,
Armstrong,	Hudson,	Shewmake,
Barnes,	Irwin,	Stapleton,
Bostwick,	Lamar,	Staton,
Brown,	Martin,	Strother,
Cameron,	Masters,	D. W. Taylor,
Carlton,	Maxwell,	Thornton,
Champion,	McLean,	Turner,
Clark,	McMillan,	W. A. Walton,
Benj. Cleveland,	McWhorter,	J. H. Walton,
Cody,	Mobley,	Walker,
Dawson,	Moody,	H. L. Williams,
Dubignon,	Nichols,	Williamson,
Fannin,	Paris,	Wilson,
Fields,	Phillips,	Yopp,
Gartrell,	Pickett,	

Those who voted in the negative are, Messrs.

Adams,	Dodds,	Hatton,
Andrews,	Durden,	Hamilton,
Bell,	Dial,	Hendrick,
Bridges,	Eberhart,	Holland,
Clements,	Fish,	Keith,
Crawford,	J. Hardin,	Latham,
Denham,	Harris,	Leverett,

Liun,	G. R. Reid,	Stephens,
Manor,	Rice,	J. Stewart,
Mays,	Richardson,	Stokes,
McComb,	Riley,	Strickland,
McCurdy,	R. A. Robinson,	Sweat,
McDonald,	N. Robinson,	J. Taylor,
McDougald,	Rowell,	Trice,
McGregor,	Ruckers,	Williford,
Poole,	Rumph,	Woodward,
Powell,	W. R. Smith	Young,
Redding,	Win. Smith,	

There being a tie, the Speaker voted in the affirmative.

The rules then being suspended, on motion of Mr. Yopp, to take up said resolution, the same was lost.

The following message was received from the Senate, by Mr. Moore, their secretary.

*Mr. Speaker:*—The following bills have been passed by the Senate, to-wit:

A bill to be entitled an act to legalize the adjournment of the Superior Court of Lee County. Also,

A bill to extend the provisions of the act to abolish the right of survivorship in joint tenants in this State.

They have also agreed to a resolution, that when each House adjourn, on Wednesday next, the 23d instant, they adjourn to 10 o'clock, A. M., on Friday, the 25th instant.

Mr. Latham reported

A bill to be entitled an act to authorise the Ordinary of Campbell county to pay over to William E. Hoskins and Rockwell Cumming, of Campbell county, out of the poor school fund, a certain sum of money therein named, for teaching poor children in said county. Also,

A bill to be entitled an act to authorize the tax collector of Campbell county to pay over the State tax to the Justices of the Inferior Court of said county, for the years 1854 and 1855, to be applied by them to the erection of a bridge across the Chattahoochee river, at Campbellton, Georgia; which was read the first time.

Mr. Latham moved a further suspension of the rules, to ask leave of absence for a few days, on special business, for Mr. Smith of DeKalb, and Mr. Haynie; which was granted.

The House proceeded with the call of the counties, and the following bills were reported, and read the first time:

Mr. McLean reported

A bill to be entitled an act to authorize Reuben Martin, an infirm man in the county of Bulloch, as an itinerant trader, to vend any goods, wares or merchandize, within the First Congressional District, without obtaining license for the same.



Mr. Strickland reported

A bill to be entitled an act to alter and amend a part of the eighth section of an act entitled an act to incorporate the Ogeechee Plank Road company, and for other purposes therein named, approved January 22d, 1852.

Mr. Crawford reported

A Bill to be entitled an act to incorporate Cassville Lodge, No. 7, Knights of Jericho, located at Cassville, Georgia.

Mr. Gartrell reported

A bill to be entitled an act for the relief of Leroy W. Cooper, of the county of Spaulding.

Mr. Mays reported

A bill to be entitled an act to appropriate money to the counties herein named, for academic purposes.

Mr. Phillips introduced the memorial of Mr. Joseph Sturgis, of Muscogee county, asking the payment by the State of his demand against it, for services rendered, while acting as agent, at Washington City, with the accompanying documents; which were read, and on motion referred to a special committee.

The Committee appointed in pursuance thereof, were Messrs. Phillips, Clark, Smith of DeKalb, Latham and Walker of Richmond.

Mr. Stokes reported

A bill to be entitled an act to amend an act entitled an act to incorporate the Zebulon Branch Rail Road, approved the 12th day of January, 1852, to appoint additional commissioners to extend said road, increase the capital stock, and for other purposes therein mentioned; which was read the first time.

Mr. Masters reported

A bill to be entitled an act, for the gradual removal and permanent location of the Penitentiary of this State, and appropriate money for the same; which was read the first time.

Mr. Richardson reported

A bill to be entitled an act to authorise Mark Rigel of the county of Randolph, an infirm and cripple man, to dispose of dry goods and fancy articles, in the counties of Lee and Randolph, without license, for his own benefit; which was read the first time.

Mr. Smith, of Liberty, reported

A bill to be entitled an act to reduce the fees of the several tax collectors, hereafter to be elected for the county of Liberty; and for other purposes herein named; which was read the first time.

Mr. Mobley offered the following resolution:

*Resolved*, That a committee of five be appointed on the part of the House of Representatives, to join the one ap-

pointed by the Senate, to examine and report upon the several returns of the census taken during the last year.

The resolution was taken up, read and adopted; and the Speaker appointed, in conformity thereto, Messrs. Mobley, Lamar, Clark, Redding, and McWhorter that Committee.

Mr. Strother reported

A bill to repeal an act entitled an act to alter and straighten the line between the counties of Jasper and Newton, so as to include the premises of certain persons therein named, in the county of Newton—to alter the line between the counties of Gordon and Floyd, and the line between the counties of Wilkes and Lincoln, and the line between the counties of Polk and Paulding, passed January 22d, 1852, so far as the same relates to the counties of Wilkes and Lincoln; which was read the first time.

Mr. Turner reported

A bill to be entitled an act to incorporate the Georgia Mining Company, and to grant certain powers and privileges to the same; which was read the first time. Also,

A bill to be entitled an act to incorporate Mount Cumberland Camp Ground, in Murray county; which was read the first time. Also,

A bill to be entitled an act to incorporate Ebenezer Camp Ground, in Murray county; which was read the first time.

Mr. McDougald offered a petition in favor of certain persons therein named; which, upon motion, was referred to the Committee on Petitions.

Mr. McDougald reported

A bill to be entitled an act to create the office of Attorney General of the State—provide for the election of an officer to fill the same—prescribe the duties thereof, and fix the salary of said officer, and for other purposes therein named; which was read the first time. Also,

A bill to be entitled an act to prohibit the introduction of negro testimony, the sayings or confessions of any negro, bond or free, on the trial of any indictment against any free white citizen of this State, or on the trial of any case at law or in equity, before any court or tribunal in this State, for or against any free white citizen, in any case, or under any pretence whatever, and for other purposes therein named; which was read the first time.

Mr. Trice reported

A bill to be entitled an act for the relief of Richard Myrick of Pike county; which was read the first time.

Mr. Gross reported

A bill to be entitled an act to organize a new county, out

of the counties of Scriven and Burke, and for other purposes therein mentioned; which was read the first time.

Mr. Lamar moved to suspend the rules of the House, to introduce the following resolution:

*Resolved*, That a committee of seven be appointed, to be known as a standing Committee upon New Counties, to whom all bills for the formation of new counties, be referred; which was agreed to.

On motion, the foregoing resolution was taken up, read and agreed to.

Whereupon, the Speaker appointed Messrs. Lamar, Stapleton, Latham, Irwin, Cleveland of Habersham, Hendrick and Rucker, that committee.

Mr. Young reported

A bill to be entitled an act to lay out and organize a new county, from the counties of Gilmer and Union; which was read the first time. Also,

A bill to be entitled an act to incorporate the Gum Log Mining Company, and grant certain privileges to the same; which was read the first time.

Mr. Williams reported

A bill to be entitled an act to incorporate Social Circle Female Seminary; which was read the first time.

Mr. Cody moved to suspend the rules of the House, to take up the following resolution:

*Resolved*, That a Special Committee of seven be appointed, to examine into the propriety of altering and amending the Judiciary system of the State, so far as relates to the Inferior Courts, and report, by bill or otherwise, at an early day, whether in their judgment, it would be best or not, to continue the existing number of members of said court, or have only one judge or justice for each county, and let him be compensated for his services.

The resolution was agreed to, and the Speaker appointed in conformity thereto, Messrs. Cody, McDougald, Irwin, Gartrell, Mobley, Lamar and Woodward, that Committee.

Mr. Rucker offered the following resolution.

*Resolved*, That the Committee on New Counties be requested to notify members, introducing bills for new counties, of their meetings, and when their bills will severally be considered; and that the representatives of the counties, out of which the same are proposed to be made, also be notified of the time of said consideration; which was adopted.

On motion of Mr. Trice, the House adjourned until 3 o'clock, P. M.

## THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. Hardeman moved to suspend the rules of the House, and take up the following bill; which was read the second time.

A bill to be entitled an act for the removal of the Seat of Government to the city of Macon.

On motion of Mr. Hardeman the above bill was referred to the Special Committee, which had been previously appointed on the subject of the removal of the Seat of Government.

Mr. Dial reported

A bill to be entitled an act to compel the Clerks of the Superior and Inferior Courts of Appling county, to keep their offices at Holmesville, the county site. Also,

An act to change the name of Reuben C. Nail, of the county of Appling, to Reuben C. Wylley, and legitimize the same; which were read the first time.

The following bills were severally taken up and read the second time.

A bill to be entitled an act to incorporate the town of Holmesville, in the county of Appling, and to render the county site of said county permanent.

A bill to be entitled an act to authorize the Treasurer of the Poor School Fund in the county of Talbot, to pay over to Wilson L. Owens, the amount of his account, for teaching poor children in the aforesaid county, in the years 1851 and 1852.

A bill to be entitled an act to reduce the official bond of the Sheriffs, hereafter to be elected in the county of Twiggs, from the sum of twenty thousand dollars to the sum of ten thousand dollars.

A bill to be entitled an act to change the line between the counties of Walker and Gordon.

A bill to be entitled an act to repeal an act, approved December 26, 1851, compelling Justices of the Peace of the 1030th District, Georgia Militia, of the county of Ware, to hold their courts at Sweat and Jourdan's Store, and for other purposes therein mentioned.

A bill to be entitled an act to incorporate the Grand Lodge of the Knights of Jericho, of the State of Georgia, and for other purposes therein mentioned.

A bill to be entitled an act to incorporate the town of Dalton, in the county of Whitfield, under the name of the city of Dalton, and to provide for the election of Mayor and City Councilmen, and such other officers as may be required, and to confer upon them certain powers therein mentioned; and to make permanent the location of the court house and jail, in said county of Whitfield.

The following bills were read the second time, and referred to the Judiciary Committee.

A bill to be entitled an act to authorize Justices of the Inferior Court, to hold to bail in cases arising *ex delicto*.

A bill to be entitled an act to prevent continuances in certain cases.

A bill to be entitled an act to allow executors, administrators and guardians to resign their trusts, on certain conditions.

A bill to be entitled an act to erect monuments to the memory of the Hon. John Forsyth, and to the memory of the late Hon. William H. Crawford, and to appropriate money therefor.

A bill to be entitled an act to authorize the Treasurer of the Poor School Fund, in the county of Habersham, to pay to Mary A. Maldin, the amount of her account, for teaching poor children in the year 1849; also to C. H. Keetle, the amount of his account, for teaching two poor children in the year 1852—such children not being returned in compliance of the law.

The following bills were read the second time, and ordered to be engrossed for a third reading.

A bill to be entitled an act to make the decisions of the Supreme Court uniform.

A bill to be entitled an act to compensate the Grand and Petit Jurors of Appling county.

A bill to be entitled an act to regulate the driving of cattle from Florida into this State.

A bill to be entitled an act to remove an election precinct in the county of Dekalb.

The following bill was taken up, read the second time, and referred to a special committee, consisting of Messrs. Green, McCurdy, Fields, Thornton and Irwin.

A bill to be entitled an act to amend the first section of the third article of the Constitution.

Mr. McDougald moved to suspend the rules, to introduce the following bill:

A bill to be entitled an act to lay out and form a new county, from parts of the counties of Early and Randolph, and to organize the same; and attach the same to the Second Congressional district, and to the Southwestern Judicial Circuit; which was read the first time.

The following bills were read the second time, and committed for a third reading, to-wit:

A bill to be entitled an act to incorporate the Dade county Iron Manufacturing and Coal Company.

A bill to be entitled an act to amend an act, entitled an act to improve the navigation of the Great Ogeechee river, so far as the appointment of new commissioners is concerned.

A bill to be entitled an act to change the time of

holding the Fall term of the Superior Court of Bulloch county.

A bill to be entitled an act to incorporate the Oregon Steamboat company of Georgia.

A bill to be entitled an act for the relief of William Taylor of the county of Coweta.

A bill to be entitled an act to authorize the Ordinary or School Commissioner of Elbert county, to pay the arrearages due the teachers of poor children of said county, for services rendered in 1851.

A bill to be entitled an act to provide for the payment of Nathan Center, of the county of DeKalb, a teacher of poor children in said county, in the years 1850, 1851 and 1852.

A bill to be entitled an act to authorize Iraac Mullinax, of the county of Gilmer, to practice medicine on the Botanic system, and to charge for the same.

A bill to be entitled an act to encourage internal improvement in the State of Georgia.

On motion of Mr. Pickett, the foregoing bill was referred to a Select Committee of seven, consisting of Messrs. Pickett, Phillips, Green, Pottle, Yopp, McDougald and Headen.

On motion of Mr. Stapleton, Mr. Cleveland, of Habersham, was added to the committee on the Lunatic Asylum.

On motion of Mr. Stapleton, Mr. Walton of Richmond, obtained leave of absence for a few days.

Mr. Lamar, the chairman of the select committee to whom was referred all bills providing for the creation of new counties, made the following report, to wit:

After examining the bill to lay out and form a new county from the county of Stewart, and to provide for the organization of the same, the committee unanimously concur in recommending said bill to the favorable consideration of the House.

On motion of Mr. Rucker, the House then adjourned until 10 o'clock, to-morrow morning.

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## TUESDAY, NOVEMBER 22nd, 1853.

The House met pursuant to adjournment.

Mr. Phillips moved to correct the Journal of yesterday, so far as to insert the name of Mr. Latham as a member of the special committee to whom was referred the memorial of Joseph Sturgis, Esq., which had been omitted; which was agreed to.

Mr. McCurdy moved to suspend the rules, to take up the following bill for a second reading;

A Bill to be entitled an Act to lay out, and form a new county out of the counties of Walker and Whitfield, and to add a portion of Walker to Whitfield, and organize said new county.

The bill was read the second time, and referred to the select committee on New Counties.

On motion of Mr. McDougald, the House went into the consideration of the special order of the day, to wit: The passage of the bill to be entitled an Act for the pardon of Elijah Bird of the county of DeKalb, now under sentence of death for the crime of murder; and during the discussion had thereon, the following message was received from the Senate, by their Secretary, Mr. Moore, to wit:

*Mr. Speaker*—I am directed by the Senate to inform the House of Representatives that they have agreed to a resolution, authorizing the Committee on Internal Improvements of the two Houses, to appoint a sub-committee, to be composed of two from the Senate committee, and three from the House committee, whose duty it shall be to proceed to the Western and Atlantic Rail Road, and make a thorough examination of the condition thereof, and giving them certain powers for that purpose; in which they ask the immediate concurrence of the House.

On motion, the clerk proceeded to read the printed testimony taken in said case, during which time, the following message was received from the Senate, by Mr. Moore, their Secretary:

*Mr. Speaker*—The Senate has passed the following bills, to wit:

A Bill to add a part of the county of Jackson to the county of Madison, so as to include the residence of James M. Sailors, in the county of Madison. Also,

A Bill to compensate grand and petit jurors of the county of Habersham. Also,

A Bill entitled an Act for the relief of Mary Roberts of the county of Habersham. Also,

A Bill to divide the offices of Tax Collector and Receiver of the counties of Baker and Gwinnett. Also,

A Bill to be entitled an Act to amend an Act to authorize all free white citizens of the State of Georgia, and such others as they may associate with them, to prosecute the business of manufacturing, with corporate powers and privileges, passed the 22nd day of December, 1847, so far as the Penfield Steam Mill Company, in the county of Greene, is concerned, and to incorporate said company, and to grant to said company certain privileges. Also,

A Bill to be entitled an Act to organize and lay out a new county from the counties of Franklin and Elbert, and to provide for the organization of the same.

The Senate has also passed the following bill of the House, with an amendment, in which they ask the concurrence of the House, to wit :

A Bill to be entitled an Act to authorize the Treasurer to make certain advances.

On motion of Mr. Walker, the rules were suspended, and as chairman of the Committee on Internal Improvement, to which was referred so much of the Governor's message as relates to the Western and Atlantic Rail Road, he reported

A Bill to be entitled an act to incorporate a company to be called "The Western and Atlantic Rail Road Company," and to lease and let to the said company, the Western and Atlantic Rail Road for the term of twenty years.

On motion of Mr. Walker, two hundred and fifty copies of the foregoing bill, were ordered to be printed.

On motion of Mr. Pottle, the House adjourned until 3 o'clock, P. M.

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### THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

On motion of Mr. Phillips, the rules of the House were suspended, and the bill of the House entitled an Act to authorize the State Treasurer to make certain advances, which was this day reported back from the Senate, with certain amendments, was taken up, and the amendments concurred in.

The House then resumed the consideration of the special order ; pending which,

On motion of Mr. Irwin, the House adjourned until 10 o'clock to-morrow morning.

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### WEDNESDAY, NOVEMBER 23rd, 1853.

The House met pursuant to adjournment.

Mr. Mobley moved that the rules of the House be suspended, in order to enable him to introduce the following resolution, to wit:

*Resolved*, That the committee appointed by the Senate, and House of Representatives, to examine the census returns of 1852, have leave to employ one or more clerks, to assist in making the calculations on said returns, so as to enable the committee, at an early day, to report a bill to apportion the representatives among the several counties in the



State, according to the 7th Section of the 1st Article of the constitution.

On motion of Mr. Mobley, the foregoing resolution was taken up, and agreed to.

On motion of Mr. Walker, the rules of the House were further suspended, and the resolution of the Senate in relation to the Western and Atlantic Rail Road, was taken up and read, as follows :

*Resolved*, By the Senate and House of Representatives of the State of Georgia, in General Assembly met, that the Committee on Internal Improvements of the two Houses, respectively, are hereby authorized to appoint a sub-committee from each, two from the Senate's committee, and three from the House's committee, who shall form a joint committee, whose duty it shall be to proceed to the Western and Atlantic Rail Road, and to make a thorough examination of the said Rail Road, its equipment, finances, management, and all other matters relating to the road, of interest to the State ; and that the said committee may discharge their duties more efficiently, they are hereby empowered to procure such advice and assistance as they may deem necessary ; to examine all books and papers connected with the business and operations of the road ; to compel the attendance of all persons whose testimony they may desire, and to call upon the Superintendent, and all other officers and agents of said road, for such information and assistance, in the discharge of their duties, as they may deem necessary.

Mr. Trice moved to amend, by adding the following proviso : *Provided*, said committee shall travel on foot, from Atlanta to the terminus of said Western and Atlantic Rail Road.

On motion of Mr. Hardeman, the foregoing resolutions and amendments were laid upon the table for the present.

On motion of Mr. Pottle, the rules were further suspended in order to allow him to introduce the following resolution ; which was taken up, read, and agreed to :

*Resolved*, That the Doorkeeper be required, as speedily as possible, to have made and put up, a door at the entrance of this chamber.

The following message was received from the Senate, by Mr. Moore, their Secretary :

*Mr. Speaker*—The Senate has passed a bill to be entitled an Act to alter and change so much of the 7th section of the Act entitled an Act, to carry into effect the amended constitution of this State, in reference to the Ordinaries of said State, and for other purposes ; so far as relates to the county of Liberty.

Mr. Gartrell reported as duly enrolled, a bill to be entitled an Act to authorize the treasurer to make certain advances.

Mr. Phillips moved to grant the privilege of voting on all important questions before the House, to the sub-committee on Finance, whether in their seats or not at the time of the commencement of the voting ; which motion was agreed to.

On motion, leave of absence was granted to Messrs. Woodward, Redding, Richardson, Fannin, Champion and Williford.

The House then resumed the regular order of business, which was the consideration of the passage of the bill to pardon Elijah Bird of the county of DeKalb, charged with the crime of murder.

On motion of Mr. Mobley, leave of absence was granted to Mr. Radford for a few days.

On motion of Mr. Strother, the House adjourned until 3 o'clock, P. M.

### THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

On motion, leave of absence was granted to Messrs. Hatton and Robinson, for a few days, on account of the indisposition of their families.

The House then resumed the regular order of the day, the same being the passage of the bill for the pardon of Elijah Bird, under sentence of death for the crime of murder. Pending the discussion, the following message was received from his Excellency the Governor, through Mr. De Graffenreid, his Secretary :

*Mr. Speaker*—His Excellency, the Governor has signed an approved an Act authorizing the Treasurer to advance to members of the General Assembly, twenty thousand dollars, in part of their *per diem* pay ; also, appropriating six thousand dollars, as a part of the printing fund.

The discussion having closed, upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded, and are : yeas 43, nays 64.

Those who voted in the affirmative are Messrs.

Adams,	Dial,	Lamar,
Andrews,	Eberhart,	Latham,
Armstrong,	Fish,	Martin,
Bell,	Gartrell,	Mays,
Brown,	Griffin,	McComb,
Carlton,	Gross,	McDonald,
Benj. Cleveland,	Hamilton,	McDougald,
Crittenden,	Hendrick,	McMullin,
Dawson,	Holland,	McMillan,

McWhorter,	Rucker,	Thornton,
Moughon,	Rumph,	Turner,
Poole,	Shewmake,	Williamson,
Richardson,	L. S. Stewart,	Young.
R. A. Robinson,	J. Stewart,	
Rowell,	J. Taylor,	

Those who voted in the negative are Messrs.

Alread,	Hardison,	Rice,
Anderson,	Headen,	N. Robinson,
E. B. Arnold,	Henderson,	G. K. Smith,
Barnes,	Hudson,	W. R. Smith,
Bostwick,	Irwin,	W. Smith,
Boatright,	Keith,	Stapleton,
Bridges,	Leverett,	Stephens,
Clements,	Linn,	Stokes,
Cody,	Masters,	Strickland,
Crawford,	Maxwell,	Strother,
Denham,	Manor,	D. W. Taylor,
Dodds,	McCurdy,	Trice,
Durden,	McGregor,	J. H. Walton
Fields,	McLean,	Walker,
Green,	Mobley,	Whitworth,
W. P. Harden,	Moody,	H. L. Williams,
James Hardin,	Nichols,	A. J. Williams,
Haynie,	Pickett,	Wilson,
Harris,	Pottle,	Willitord,
Harrall,	G. R. Reid,	Yopp.
Hardeman,	M. Reid,	
Hays,	Reynolds,	

So the bill was lost.

Upon motion leave of absence was granted to Messrs. Wilson, Irwin, Eberhart, Stapleton and Taylor.

On motion of Mr. Lamar, the use of the Representative Hall was tendered to the State Temperance Convention for this evening.

On motion of Mr. Pottle, the House then adjourned until 10 o'clock Friday morning.

FRIDAY, NOVEMBER 25th, 1853.

The House met pursuant to adjournment.

Mr. Young moved to reconsider so much of the Journal of Wednesday, as relates to the rejection of the bill for the pardon of Elijah Bird, of DeKalb county, now under sentence of death for the crime of murder.

Whereupon, the yeas and nays were required to be recorded, and are : yeas 60, nays 39.

Those who voted in the affirmative are, Messrs.

Adams,	Harris,	Powell,
Bell,	Headen,	Rice,
Bridges,	Keith,	Riley,
Brown,	Latham,	N. Robinson,
Calloway,	Linn,	Rowell,
Cameron,	Martin,	Rucker,
Carlton,	Masters,	Rumph,
Benj. Cleveland,	Maxwell,	Shine,
Clements,	Mays,	Stephens,
Cody,	McComb,	L. S. Stewart,
Crittenden,	McCurdy,	J. Stewart,
Dawson,	McDonald,	Stokes,
Denham,	McDougald,	Strother,
Durden,	McMullin,	Sweat,
Dial,	McMillan,	Thornton,
Fish,	Mobley,	Turner,
Gartrell,	Moughon,	J. H. Walton,
Griffin,	Paris,	A. J. Williams,
W. P. Harden,	Phillips,	Williamson,
James Hardin,	Poole,	Young,

Those who voted in the negative are, Messrs.

Ahead,	Gross,	Moody,
Anderson,	Haynie,	Nichols,
E. B. Arnold,	Harral,	Pickett,
Barnes,	Hays,	Pottle,
Bostwick,	Hardison,	G. R. Reid,
Boatright,	Henderson,	M. Reid,
W. C. Cleveland,	Hudson,	Reynolds,
Dodds,	Leverett,	G. K. Smith,
Dubignon,	Manor,	W. R. Smith,
Field,	McGregor,	Wm. Smith,
Green,	McLean,	Strickland,

D. W. Taylor,  
Trice,

Walker,  
Whitworth.

H. L. Williams,  
Yopp.

Mr. Harrison asked, and was excused from voting on the question of reconsideration, not having been present on the discussion and rejection of the bill, on Wednesday last.

So the motion to reconsider prevailed.

On motion, leave of absence was granted to Messrs. Armstrong, McWhorter, Clark, Gartrell, Andrews and Harden of Clark, for a few days.

The rules of the House were suspended, and on motion of Mr. Thornton, the resolution of the Senate, authorizing the appointment of a joint committee to visit, examine, and report the condition of the Western and Atlantic Rail Road, was taken up.

Mr. Trice moved to amend said resolution by adding, "*Provided*, said committee shall go on foot from Atlanta to Chattanooga ;" on which motion the yeas and nays were required to be recorded, and are : yeas 46, nays 56.

Those who voted in the affirmative are, Messrs.

Bridges,	Holland,	Riley,
Clements,	Hudson,	N. Robinson,
Denham,	Keith,	Rumph,
Durden,	Leverett,	W. R. Smith,
Dial,	Masters,	Wm. Smith,
Fish,	Maxwell,	J. Stewart,
Gartrell,	Manor,	Stokes,
Griffin,	McDonald,	Strickland,
J. Hardin,	McLean,	Sweat,
Harrall,	McMilian,	Trice,
Hardeman,	Moody,	Whitworth,
Hardison,	Nichols,	Williamson,
Hamilton,	Poole,	Young,
Headen,	G. R. Reid,	Yopp,
Henderson,	M. Reid,	
Hendrick,	Rice,	

Those who voted in the negative are, Messrs.

Adams,	Boatright,	Crittenden,
Alread,	Brown,	Dawson,
Anderson,	Calloway,	Dodds,
E. B. Arnold,	Cameron,	Dubignon,
Earnes,	Carlton,	Fields,
Fell,	Benj. Cleveland,	Green,
Bostwick,	W. C. Cleveland,	Gross,

W P Harden,	McDougald,	Staten,
Hayne,	McGregor,	Stephens,
Harris,	McMullin,	L. S. Stewart,
Harrison,	Moughon,	Strother,
Hays,	Paris,	D. W Taylor,
Hawkins,	Phillips,	Thornton,
Latham,	Pickett,	Turner,
Linn,	Pottle,	J. H. Walton,
Martin,	Powell,	Walker,
Mays,	Rowell,	H. L. Williams,
McComb,	Shine,	A. J. Williams,
McCurdy,	G. K. Smith,	

So the amendment was lost.

The question then recurred upon concurring in the original resolution of the Senate.

The same was decided in the affirmative.

On motion of Mr. McDougald, the rules of the House were suspended, and the following bill was taken up, read the second time, and referred to the Special Committee on New Counties, to wit:

A bill to be entitled an act to lay out and form a new county from parts of the counties of Early and Randolph, and to organize the same, and to attach the same to the second Congressional District, and to the Southwestern Judicial Circuit.

The House then proceeded with the call of the counties.

Mr. Harrison reported

A bill to be entitled an act to incorporate the Savannah Hotel Company ; which was read the first time. Also,

A bill to be entitled an act to confirm and make valid an ordinance of the city of Savannah. passed 11th August, 1853; which was read the first time.

Mr. Harrison presented two petitions from sundry citizens of the city of Savannah, for and against the passage of the bill last introduced ; which were received without being read.

Mr. Harrison reported

A bill to be entitled an act to incorporate the Irish Jasper Greens, a volunteer corps of the city of Savannah ; which was read the first time. Also,

A bill to be entitled an act to incorporate a Bank in the city of Savannah, to be called the Mechanics and Traders Bank ; which was read the first time. Also,

A bill to be entitled an act supplementary to an act entitled an act to organize a Volunteer Battalion in the city of Savannah, to be called the Independent Volunteer Battalion of Savannah, approved January 20th, 1852 ; which was read the first time.

The following bills were introduced and read the first time, to wit :

Mr. McComb reported

A bill to be entitled an act to amend the several laws incorporating the city of Milledgeville, and to establish a Police Court therein.

Mr. Gartrell reported

A bill to be entitled an act to authorize John Wesley Grantham, of the county of Cobb, in this State, to peddle goods, wares and merchandize, within certain counties, therein mentioned, without a license, and without being subject to pay any tax. Also,

A bill to be entitled an act to amend an act entitled an act to incorporate the town of Marietta, in the county of Cobb, also, to enlarge the boundary of said town, and incorporate the same, and for other purposes therein specified, approved January 22nd, 1852, so as to give the election of Marshals of the city of Marietta, to the people, to authorize their removal from office, in certain cases therein named, and in those cases make them ineligible to re-election.

Mr. Powell reported

A bill to be entitled an act to authorize James Lasseter, of the county of Decatur, a minor, to transact his own business, in the same manner and subject to the same responsibilities as though he was of full age, and for other purposes.

Mr. Haynie reported

A bill to be entitled an act to prevent frauds, and for other purposes.

Mr. Pickett reported

A bill to be entitled an act to add a part of Union county to the county of Gilmer.

Mr. Phillips made the following report, to wit :

The committee to whom was referred the resolution relating to the Western and Atlantic Rail road, calling for information touching the cost of construction and equipment, together with its earnings, having investigated the subject with considerable labor, ask leave to report, that from 1836, up to the 30th September, 1853, the amount appropriated and drawn by Executive warrants, was four million five hundred and seventy-eight thousand five hundred and forty-four dollars, to which, if we add the nett income from the operations of the Road, up to the same period, and assume that to be forty per cent. on its gross receipts of one million five hundred and seventy-two thousand nine hundred and seventy-three dollars, or five hundred and thirty-two thousand eight hundred dollars, which has been applied by its officers to the wants of the Road, we have the sum of five million one hundred and eleven thousand four hundred and thirty-four dollars, as the cost of the Road, including equipment and all its appurtenances.

Another form of presenting the facts may be more satisfactory to some. To the cost of the Road as per appropriations and Executive warrants as above, add the interest paid on the several amounts applied to the Road, from the date of such application, and then credit the Road with all its earnings. This your committee have done, and arrived at nearly the same results. They are, therefore, satisfied that the statement of the cost of the Road in the message of the late Governor, varies but little from the correct sum, five millions. Why this monument of Georgia forecast and perseverance, has cost the State far more than was anticipated, is too well understood to require at the hands of your committee, anything like an explanatory statement. Many errors were, no doubt committed, and much money uselessly expended, but perhaps the greatest error was committed by our predecessors years ago, in not equipping the Road at an early day, at least to an extent commensurate with the demands of transportation and travel. Your committee have not deemed it necessary to exhibit a detailed statement of the several items, making the aggregate cost of the Road, or the annual gross profits arising from the operations of the same, as the object of the resolution under which they were appointed, seemed to look to general facts and results; all of which is respectfully submitted.

Mr. Cleveland of Habersham, made the following report, to wit:

The Committee on New Counties have had under consideration a bill for organizing a new county from the counties of Cherokee and Gilmer; Also, a bill making a new county from the counties of Elbert and Franklin, and beg leave to report favorably to the passage of both bills.

The following bills were introduced, and read the first time, to wit:

Mr. Cleveland of Habersham, reported

A bill to be entitled an act to amend an act to define the mode in which costs shall be taxed and collected in future, assented to on the 27th of December, 1852, and to define and declare the liability of Attorneys at Law, for costs, and also to authorize executions to issue against them in certain cases, therein specified. Also,

A bill to be entitled an act to extend the jurisdiction of Justices of the Peace, so as to authorize them to try causes sounding in damages.

Mr. McMillan reported

A bill to be entitled an act to lay out and organize a new county from the counties of Jackson and Gwinnett.

Mr. Riley reported

A bill to be entitled an act to create and establish a system of Internal Improvements in the State of Georgia, and



to provide ways and means to carry the same into effect, and for other purposes therein named.

Mr. Smith of Liberty offered the following resolution, to wit :

*Resolved*, That a Chaplain be procured to open the present session of the Legislature by prayer, every morning.

On motion, leave of absence was granted to Mr. Moughon, for a few days.

The following bills were introduced, and read the first time, to wit :

Mr. Turner reported

A bill to be entitled an act to change the line between the counties of Murray and Whitfield.

Mr. Thornton reported

A bill to be entitled an act to allow certain citizens of the State of Alabama, to obtain letters testamentary, and for other purposes.

Mr. McDougald reported

A bill to be entitled an act to alter, change and amend an act entitled an act to compensate Grand and Petit Jurors of the county of Muscogee, and to authorize the Justices of the Inferior Court of said county, to levy and collect a tax for such purpose, and for other purposes herein contained, approved December 21st, 1849, so far as to require the clerk of the Superior and Inferior Courts of said county, to pay over to said Jurors, the full amount of all jury fees, in addition to the one dollar per day, now allowed by the above recited act, and for other purposes therein named. Also,

A bill to be entitled an act to alter and change the name of Roscoe Tallulah Clay Niles, to that of Roscoe Clay Wallace; also, to alter and change the name of Jennett Millar Barrow Niles, to that of Jennett Barrow Wallace; also, to alter and change the name of Ophelia Celestia Wood, to that of Ophelia Celestia Bilbro, and to legitimize said Ophelia Celestia Bilbro, and for other purposes therein mentioned.

On motion of Mr. Pickett, the House adjourned until 3 o'clock, P. M.

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### THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

The House proceeded to the call of the counties, and the following bills were introduced and read the first time, to wit :

Mr. Cleveland of Crawford, reported

A bill to be entitled an act to attach a portion of Crawford county to the county of Taylor.

Mr. Hardin of Paulding, reported

A bill to be entitled an act to authorize the tax collector of the county of Paulding, for the years 1854 and 1855, to pay over the amount of taxes by him collected for State purposes, to the Justices of the Inferior Court, to be by them applied to the payment of amounts due and owing for the erection of the Court House in said county. Also,

A bill to be entitled an act to make John C. Cain heir at law of John Cain.

Mr. Hendrick reported

A bill to be entitled an act to change the name of Joseph D. Bartlett, and to legitimize the said Joseph D. Bartlett.

Mr. Adams reported

A bill to be entitled an act to appropriate the sum of one thousand dollars from the treasury of this State for the purpose of improving and working out a road, from the four mile post on the road leading from Clayton, Georgia, down Simpson's Creek, to Edly Powell and up Dick's Creek and across the Blue Ridge to the House of Elijah Denton, in Union county, and to appoint certain commissioners for the same, and for other purposes therein mentioned.

Mr. Bell reported

A bill to be entitled an act to incorporate the Masonic Female College, in Lumpkin, Georgia, and to confer certain privileges on the same.

Mr. Crittenden reported

A bill to be entitled an act to repeal an act entitled an act, passed in 1851 and 1852, requiring Rail Road Companies to place, over or near their tracks, sign boards.

Mr. Gross reported

A bill to be entitled an act for the relief of Dr. A. B. Brantley, and to authorize the Governor to draw his warrant on the Treasury in his behalf, for the amount therein stated.

Mr. Clements reported

A bill to be entitled an act to exempt practising physicians from jury duty and from serving as witnesses in Superior Courts, and for other purposes herein specified. Also,  
A bill to be entitled an act to amend an act to levy and collect a tax for each of the political years of 1852 and 1853.

Mr. Stewart reported

A bill to be entitled an act to authorize and require the Treasurer of the State to pay over the State tax of the county of Taylor, for the year 1853, to the Justices of the Inferior Court of said county, or their order for the use thereof.

Mr. Young reported

A bill to be entitled an act for the relief of John Cook, of Union county.

Mr. Pottle introduced a resolution which was read as follows, to wit:

WHEREAS: By a joint resolution of the General Assem-

bly, provision was made for the solemnization of Thursday, the 24th inst., as a day of thanksgiving, in accordance with a proclamation of his Excellency, the Governor, and whereas, the joint committee appointed for that purpose have discharged that duty to the satisfaction of the members of the General Assembly in the selection of the Rev. Dr. Talmage as clergyman for the occasion, and whereas, the discourse delivered, from the importance of the truths therein contained, therefore, be it

*Resolved.* By the House of Representatives, that a committee of three be appointed by the Speaker, for the purpose of calling on the Rev. Dr. Talmage and requesting of him a copy of the Discourse delivered by him on Thursday (thanksgiving day,) for publication, and that said committee so appointed, be authorized to have five hundred copies of the same printed for the use of the House.

On motion of Mr. Pottle, the foregoing resolution was taken up and adopted.

Whereupon the chair appointed Messrs. Pottle, Latham and Crittenden, that committee.

The following bills were introduced and read the first time, to wit :

Mr. Sweat reported

A bill to be entitled an act to make it the duty of the Tax Receivers of the State to require all persons making their returns to give in the number of each lot of land by them returned, also, the County, District and Section, or Districts and Sections, in which said lands may be situated, and for other purposes therein specified.

Mr. Durden reported

A bill to be entitled an act to authorize Dempsy Phillips, an infirm and crippled man of the county of Emanuel, in this State, to peddle goods, wares and merchandize and such other articles as he is in the habit of vending, within the said county of Emanuel, without a licensee and without being subject to pay tax therefor.

Mr. Hardeman made the following report :

The Special Committee, to whom was referred a bill providing for the removal of the seat of Government to the city of Macon, also that portion of the Executive message relative to the permanent location of the same, beg leave to report, that after mature deliberation upon the subject matter submitted to their consideration, and after weighing the advantages resulting and the evils accruing from a removal of the seat of Government, they are forced to the opinion that the wishes of the public and the necessities of the Legislature call for a removal from its present locality ; your committee, in making a recommendation to this effect, disclaim any feeling of hostility to the interest and future prosperity of the citizens of Milledgeville, nor are they disposed to vi-

olate what are erroneously considered vested rights under the act of 1804, providing for the permanent location of the seat of Government at this place. Your committee are aware that a large expenditure of money will be necessary to carry into effect this contemplated removal, yet our cheeks would crimson with shame and mortification could we for one moment imagine that Georgia was so niggard of her means as to withhold a sum sufficient to erect such public edifices as would be an ornament to a State holding such an elevated position in our great confederacy of States. The present condition of our public buildings, their dilapidated and decayed situation, their size, structure and appearance are the mockery of every visitor to our capitol, and degrading to the pride of every Georgian. Other States, who are a quarter of a century behind ours in every thing that makes a people great and happy, in wealth and position, in civilization and refinement, in character at home and reputation abroad, can boast of public grounds and legislative halls compared to which, ours sink into disgraceful insignificance. Ours is a growing State; her inexhaustible resources, her exuberant soil, her schools of learning, her halls of piety, and above all, her elevated position with her sister States, are attracting the attention of those who desire refined society, religious advantages, and profitable pecuniary investment, and thousands are flocking into our limits to enjoy our prosperity and share our greatness. Hence the wants of our people are increased, new counties are made, and our representation here enlarged; and to meet these necessities, to provide room for this increased representation, we must pull down, or enlarge, at a heavy expense, the present buildings of our State. In view, therefore, of the present condition of our buildings and our increased wants, your committee recommend its removal to some place better calculated from its commercial resources and accessible position to satisfy the wants and necessities of the people. Your committee have not thought proper to designate that place, leaving it for the wisdom of the General Assembly to select its future locality; hoping that State pride will prompt them to erect such buildings as will be an honor and an ornament to the Empire State of the South. Your committee having performed the duty assigned them, beg leave to be discharged from the further consideration of the same.

Messrs. McComb, Harrison and Walton of Richmond, dissenting.

Mr. McDougald offered the following resolution, which was taken up, read and agreed to, to wit:

*Resolved*, That the Speaker appoint a committee of nine on the Deaf and Dumb Asylum, to be one of the Standing Committees of the House.

Whereupon, the chair appointed the following gentlemen

such committee : Messrs. McDougald, Phillips, Carlton, Turner, Green, Gartrell, Haynie, Rucker and Strother.

On motion of Mr. McDougald, the rules of the House were suspended, and the following bill was taken up and made the special order of the day for Friday next, to wit :

A bill to be entitled an act to alter, change and amend the 3d Section of the 1st Article of the Constitution of this State, by striking out the word, "biennially," and inserting in lieu thereof, the word "annually."

On motion, the rules were suspended, and the following bill was taken up and made the special order of the day for Thursday next, to wit :

A bill to be entitled an act for the removal of the seat of Government to the city of Macon.

The House took up the bill to be entitled an act to incorporate the Brunswick Improvement Company ; which was read the third time and passed.

On motion, the rules of the House were suspended, and the House took up the report on the bill to lay out and organize a new county from the counties of Cherokee and Gilmer, and for other purposes therein specified.

The bill was read the third time and passed under the title thereof.

The House took up the report on the bill to be entitled an act to amend and alter the 30th Section, 10th Division of an act to reform, amend and consolidate the penal laws of the State of Georgia, approved December 23d, 1833 ; and the same was made the special order of the day for Wednesday next.

The House went into Committee of the Whole on the following bill, to wit :

A bill to be entitled an act to provide for the payment of certain census takers of this State, therein named, Mr. Arnold of Henry in the Chair. The Committee arose, and Mr. Arnold reported the bill back to the House without amendment.

On motion of Mr. Phillips, the same was referred to the Committee on Finance.

The rules being suspended, the House took up the report of the Committee on the bill amendatory of the several acts incorporating the city of Rome, and the same was read the third time and passed under the title thereof.

The House then took up the report on the bill to be entitled an act to authorize the school commissioners of Greene county, to pay to Mary Hargroves and others the amount of money due them for teaching poor children in 1852, and the same was read the third time and passed under the title thereof.

The House went into Committee of the Whole, Mr. Harrison in the Chair, on the bill to refund the taxes collected

from the Rome Rail Road Company. Mr. Harrison reported the same back to the House, without amendment, and on motion of Mr. Reynolds, it was referred to the Judiciary Committee.

The House took up the report of the Committee on the bill entitled an act to prevent the driving of any horned cattle of the cow kind, from any of the districts or counties of South Carolina, or State of Alabama or any county in this State, southeast or southwest of Habersham county, or from that part of said county of Habersham which lies southeast of what is known as the Chattahoochee Ridge, which runs through said county, or any other portion of the country that may be infected with distemper, into the county of Habersham, and to prohibit the driving of such cattle and oxen from said county to distempered places and then driving the same cattle back to said county of Habersham, between the 15th day of April and the 1st day of October in each year.

The same being read, Mr. Cleaveland of Habersham, moved to amend, by striking out the words, "Chattahoochee Ridge," and inserting the words, "Hawkin's line;" which was agreed to.

Mr. Riley moved to amend, by striking out the following words: "any county southeast and southwest;" which was agreed to.

The report as amended, was then agreed to, and upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded, and are: yeas 32, nays 60.

Those who voted in the affirmative are, Messrs.

Adams,	Harrison,	Rowell,
Alread,	Hardeman,	Rucker,
Carlton,	Hays,	Stokes,
Benj. Cleveland,	Headen,	D. W. Taylor,
W. C. Cleveland,	Hendrick,	Thornton,
Clements,	Linn,	Trice,
Cody,	Martin,	Turner,
Crawford,	McGregor,	Whitworth,
Crittenden,	Paris,	H. L. Williams,
W. P. Harden,	Phillips,	Young,
J. Hardin,	Pickett,	

Those who voted in the negative are, Messrs.

E. B. Arnold,	Cameron,	Grant,
Barnes,	Dawson,	Griffin,
Bostwick,	Denham,	Gross,
Boatright,	Durden,	Haynie,
Bridges,	Dial,	Harris,
Calloway,	Fish,	Harrall,

Hardison,	Mobley,	Shine,
Henderson,	Moody,	G. K. Smith,
Holland,	Nichols,	W. R. Smith,
Hudson,	Poole,	Wm. Smith,
Keith,	Pottle,	Staten,
Leverett,	Powell,	Stephens,
Masters,	G. R. Reid,	J. Stewart,
Maxwell,	M. Reid,	Strickland,
Manor,	Reynolds,	Strother,
McCurdy,	Rice,	Sweat,
McDonald,	Riley,	J. H. Walton,
McDougald,	N. Robinson, •	A. J. Williams,
McLean,	Rumph,	Williamson,
McMullin,	Shewmake,	Yopp.

Mr. Latham not being present during the consideration of said bill, was excused from voting thereon.

So the bill was lost.

On motion, the House then adjourned until 10 o'clock to-morrow morning.

## SATURDAY, NOVEMBER 26th, 1853.

The House met pursuant to adjournment.

Mr. Cleveland of Habersham, moved to reconsider so much of the Journal of yesterday as relates to the rejection of the bill to be entitled an act to prevent the driving of any horned cattle, of the cow kind, from any of the districts or counties of South Carolina, or State of Alabama, or any county in this State, southeast or southwest of Habersham county, or from that part of said county of Habersham which lies southeast of what is known as the Chattahoochee Ridge, which runs through said county, or any other portion of the country, that may be infected with distemper, into the county of Habersham; and to prohibit the driving such cattle and oxen from said county, to distempered places, and then driving the same cattle back to said county of Habersham, between the 15th day of April and the 1st day of October, in each year; and

On the motion to reconsider, the yeas and nays were required to be recorded, and are: yeas 49, nays 41.

Those who voted in the affirmative are, Messrs.

Adams,	Bell,	Carlton,
Alread,	Cameron,	Benj. Cleveland,

W C. Cleveland,	Linn,	G. K. Smith,
Clements,	Martin,	J. Stewart,
Cody,	McComb,	Stokes,
Crawford,	McCurdy,	Strother,
Crittenden,	McDougald,	D. W. Taylor,
Fields,	McGregor,	Thornton,
Griffin,	McLean,	Trice,
W P. Harden,	McMillan,	Turner,
Haynie,	Paris,	W A. Walton,
Harrison,	Phillips,	Walker,
Hardeman,	Pickett,	Whitworth,
Hays,	Powell,	H. L. Williams,
Hamilton,	Reynolds,	Young,
Hendrick,	Rowell,	
Leverett,	Rucker,	

Those who voted in the negative are, Messrs.

Anderson,	Keith,	Rumph,
E. B. Arnold,	Masters,	Shewmake,
Boatright,	Maxwell,	Shine,
Bridgdes,	Manor,	W R. Smith,
Brown,	Mays,	W Smith,
Denham,	McDonald,	Staten,
Dubignon,	McMullin,	Stephens,
Fish,	Mobley,	Strickland,
Gross,	Moody,	Sweat,
Harris,	Pottle,	J. H. Walton,
Harrell,	M. Reid,	A. J. Williams,
Hardison,	Rice,	Williamson,
Holland,	Riley,	Yopp.
Hudson,	N. Robinson,	

So the motion to reconsider prevailed.

On motion of Mr. Reynolds. the rules of the House were suspended, in order to enable him to offer the following resolution :

*Resolved*, By the House of Representatives, that from and after the 26th instant, the rule of the House be suspended in relation to the call of the counties, and every Monday shall be set apart for the regular call of the counties, and for the introduction of new matter, and the balance of the time shall be devoted to reading bills the third time, and acting on said bills, in the forenoon of each day ; and the evening session in reading bills of the House and Senate, the second time ; and that this rule shall not be altered or suspended, unless a majority of two-thirds of the House shall so determine.



Mr. Reynolds moved to take up said resolution ; which motion was lost.

On motion of Mr. Trice, the rules of the House were suspended, and Mr. Trice reported

A bill to be entitled an act to appropriate a sum of money to John R. Jenkins of Pike county, for expenses and services therein mentioned ; which was read the first time.

The rules being suspended, Mr. Manor reported

A bill to be entitled an act to authorize the issue of a certain grant therein specified ; which was read the first time.

Mr. Smith of Liberty, moved to suspend the rules, to enable the House to take up the resolution, offered by himself, in relation to the appointment of a Chaplain for the balance of the session.

Whereupon the yeas and nays were required to be recorded, and are : yeas 50, nays 39.

Those who voted in the affirmative are, Messrs.

Alread,	W P. Harden,	Paris,
Anderson,	James Hardin,	Pickett,
E. B. Arnold,	Haynie,	Poole,
Bell,	Harris,	Pottle,
Bostwick,	Harrison,	M. Reid,
Boatright,	Harrall,	Riley,
Brown,	Hays,	Rucker,
Carlton,	Hamilton,	Rumph,
Benj. Cleveland,	Linn,	Shewmake,
Clements,	Martin,	G. K. Smith,
Cody,	Masters,	W. Smith,
Crawford,	Mays,	Stephens.
Crittenden,	McComb,	Strickland,
Dubignon,	McCurdy,	H. L. Williams.
Fish,	McMullin,	A. J. Williams,
Griffin,	Mobley,	Williamson,
Gross,	Moody,	

Those who voted in the negative are, Messrs.

Adams,	Hudson,	Rowell,
Barnes,	Manor,	Shine,
W C. Cleveland,	McDonald,	W R. Smith,
Denham,	McDougal,	Staten,
Dial,	McLean,	J. Stewart,
Fields,	McMillan,	Strokes.
Hardeman,	Nichols,	Strother,
Hardison,	G. R. Reid,	Sweat,
Headen,	Reynolds,	D. W Taylor,
Henderson,	Rice,	Thornton,
Hendrick,	N. Robinson,	Trice,

Turner,  
J. H. Walton,

Walker,  
Whitworth,

Young,  
Yopp.

So the motion to take up the resolution was agreed to.

Mr. Pottle offered the following amendment, to wit:

“And that a committe be appointed for the purpose of securing the services of said Chaplain during the balance of the session.”

Pending the discussion on the motion to amend the following message was received from the Senate, by Mr. Moore, their Secretary:

*Mr. Speaker*—The Senate has passed a bill to alter and change the times of holding the Superior Courts for the counties of Meriwether and Laurens, and regulate the same, and to change the sessions of the Court of Common Pleas, in Augusta.

The House resumed the consideration of Mr. Pottle's motion to amend.

Mr. Walker moved to lay the resolution and amendment on the table, for the balance of the session.

Whereupon the yeas and nays were required to be recorded, and are: yeas 49, nays 49.

Those who voted in the affirmative are, Mesrs.

Adams,	Keith,	Staten,
Barnes,	Latham,	J. Stewart,
Calloway,	Leverett,	Stokes,
W. C. Cleveland,	Maxwell,	Strother,
Clements,	Manor,	Sweat,
Denham,	McDonald,	D. W. Taylor,
Durden,	McDougald,	Thornton,
Dial,	McLean,	Trice,
Fields,	McMillan,	Turner,
W. P. Harden,	Nichols,	J. H. Walton,
Hardeman,	G. R. Reid,	Walker,
Hays,	M. Reid,	Whitworth,
Hardison,	Rice,	H. L. Williams,
Headen,	N. Robinson,	Young,
Henderson,	Rowell,	Yopp.
Hendrick,	Shine,	
Hudson,	W. R. Smith,	

Those who voted in the negative are, Messrs.

Alread,	Bell,	Brown,
Anderson,	Bostwick,	Cameron,
E. B. Arnold,	Boatright,	Carlton,

Benj. Cleveland,	Linn,	Pottle,
Cody,	Martin,	Reynolds,
Crawford,	Masters,	Riley,
Crittenden,	Mays,	Rucker,
Fish,	McComb,	Rumph,
Griffin,	McCurdy,	Shewmake,
Gross,	McGregor,	G. K. Smith,
James Hardin,	McMullin,	W Smith,
Haynie,	Mobley,	Stephens,
Harris,	Moody,	Strickland,
Harrison,	Paris,	A. J. Williams,
Harrell,	Phillips,	Williamson,
Hamilton,	Pickett,	
Holland,	Poole,	

So the motion to lay on the table was lost.

The question then recurred upon agreeing to the amendment offered by Mr. Pottle.

Whereupon, the yeas and nays were required to be recorded, and are : yeas 44, nays 54.

Those who voted in the affirmative are, Messrs.

Alread,	Gross,	Phillips,
Anderson,	Haynie,	Pickett,
E. B. Arnold,	Harris,	Poole,
Bell,	Harrison,	Pottle,
Bostwick,	Hamilton,	Riley,
Boatright,	Linn,	Rucker,
Bridges,	Martin,	Shewmake,
Brown,	Masters,	G. K. Smith,
Carlton,	Mays,	W Smith,
Benj. Cleveland,	McComb,	Stephens,
Cody,	McCurdy,	Strickland,
Crawford,	McMullin,	Turner,
Fish,	Mobley,	A. J. Williams,
Grant,	Moody,	Williamson,
Green,	Paris,	

Those who voted in the negative are, Messrs.

Adams,	Denham,	Hays,
Barnes,	Durden,	Hardison,
Calloway,	Dial,	Headen,
Cameron,	Fields,	Hendersott,
W C. Cleveland,	Griffin,	Hendrick,
Clements,	W P Harden,	Holland,
Crittenden,	Hardeman,	Hudson,

Keith,	G. R. Reid,	Strother,
Latham,	M. Reid,	Sweat,
Leverett,	Reynolds,	D. W. Taylor,
Maxwell,	Rice,	Thornton,
Manor,	N. Robinson,	Trice,
McDonald,	Rowell,	J. H. Walton,
McDougald,	Shine,	Walker,
McGregor,	W. R. Smith,	Whitworth,
McLean,	Staten.	H. L. Williams,
McMillan,	J. Stewart.	Young,
Nichols,	Stokes,	Yopp.

So the motion to amend was lost.

The question then recurred upon the adoption of the original resolution. Mr. Walker moved the previous question, and the the same was sustained by the House ; and upon the question, "Shall the main question now be put ?" the same was decided in the affirmative ; and on the motion to agree to the original resolution, the yeas and nays were required to be recorded, and are : yeas 38, nays 60.

Those who voted in the affirmative are, Messrs,

Alread,	Gross,	Moody.
Anderson,	James Hardin,	Paris,
E. B. Arnold,	Harris,	Phillips,
Bostwick,	Harrison,	Pickett,
Brown,	Hamilton,	Pottle,
Carlton,	Linn,	Riley,
Benj. Cleveland,	Martin,	Rucker
Cody,	Masters,	Shewmake,
Crawford,	Mays,	G. K. Smith,
Dubignon,	McComb,	W. Smith,
Fish,	McCurdy,	Stephens,
Grant,	McMullin,	Williamson,
Green,	Mobley,	

Those who voted in the negative are, Messrs.

Adams,	Durden,	Headen,
Barnes,	Dial,	Henderson,
Bell,	Fields,	Hendrick,
Calloway,	Griffin,	Holland,
Cameron,	W P Harden,	Hudson,
W C. Cleveland,	Harrall,	Keith,
Clements,	Hardeman,	Latham,
Crittenden,	Hays,	Leverett,
Denham,	Hardison,	Maxwell.

Manor,	Rice,	D. W. Taylor,
McDonald,	N. Robinson,	Thornton,
McDougald,	Rowell,	Trice,
McGregor,	Rumph,	Turner,
McLean,	W R. Smith,	J. H. Walton,
McMillan,	Staten,	Walker,
Nichols,	J. Stewart,	Whitworth,
Poole,	Stokes, /	H. L. Williams,
G. R. Reid,	Strickland,	A. J. Williams,
M. Reid,	Strother,	Young,
Reynolds,	Sweat,	Yopp.

So the resolution was disagreed to.

On motion of Mr. Paris, the rules of the House were suspended, and the following bills were introduced and read the first time, to wit :

Mr. Cody reported

A bill to be entitled an act to authorize teachers of poor children in the county of Warren, to furnish books and stationery to such children, and to provide for the payment of the same.

Mr. Paris reported

A bill to be entitled an act to divorce and separate Mary Kerby and her husband, Henry Kerby, of Dade county.—Also,

A bill to be entitled an act to amend an act entitled an act; to amend the 26th Section of the Judiciary act, passed the 16th day of December, 1799 ; and also to prevent a fraudulent enforcement of dormant judgments, approved December 19th. 1822.

Mr. Stewart, of Taylor, reported

A bill to be entitled an act to attach the county of Taylor to the Macon judicial circuit, and to regulate and fix the time of holding the Superior and Inferior Courts thereof.

Mr. Hardison reported

A bill to be entitled an act for the relief of Needham Smith of Houston county.

Mr. Calloway reported

A bill to be entitled an act to authorize Thomas B. Claiborne, an infirm man of the county of Putnam, as an itinerant trader, to vend goods, wares and merchandize, in the counties of Putnam and Hancock, without obtaining license for the same.

Mr. Riley reported

A bill to be entitled an act to alter and change the lines between the counties of Union and Lumpkin, so far as to add Lumpkin county to the militia district of Union county, known as number nine hundred and ninety-five (995) and sometimes called the Gaddiston District, and to make the

line of said district adjoining Union county, and the dividing line between Union and Lumpkin counties.

Mr. Linn reported

A bill to authorize and require the Ordinary, or Commissioners of the Poor School Fund of Cass county, to pay Daniel Whitener for teaching poor children of said county, in the year 1852.

Mr. Pottie reported

A bill to be entitled an act to alter and extend the provisions of an act, entitled an act, to extend the provisions of an act, assented to December 11th, 1841 ; and also, to amend an act assented to December 22nd, 1843, so as to exempt from levy and sale, certain property therein mentioned, approved December 29th, 1845. Also,

A bill to be entitled an act for the relief of Elizabeth Clark, a married woman, of the county of Jefferson.

Mr. McMullin offered the following resolution ; which was taken up, read and agreed to :

*Resolved*, That immediately after the yeas and nays are taken, the clerk be required to call over the list of members, so that each member may know that his vote is recorded correctly, and that the yeas and nays be omitted in reading the journal.

On motion, leave of absence was granted to Messrs. Dubignon and Dawson, for a few days.

The House then proceeded to the regular order of business, which was the reading of bills the third time. .

The House took up the bill to be entitled an act to incorporate the McDonough Collegiate Seminary, and to prohibit retailers from giving, selling or furnishing to minor students, any quantity of spirituous liquors, without written permission from parents, or guardians.

The same being read the third time, Mr. McDougald moved that the House do now adjourn until half past 9 o'clock, Monday morning.

Whereupon, the yeas and nays were required to be recorded, and are : yeas 40, nays 47.

Those who voted in the affirmative are, Messrs.

Adams,	Dodds,	Linn,
Bell,	Griffin,	McCurdy,
Boatright,	Gross,	McDonald,
Bridges,	W P. Harden,	McDougald,
Brown,	James Hardin,	McMillan,
Calloway,	Harris,	Pickett,
Cameron,	Hardeman,	Poole,
Crawford,	Hardison,	G. R. Reid,
Crittenden,	Holland,	N. Robinson,
Durden,	Latham,	Rowell,

Rumph,	Strother,	Young,
Shine,	D. W. Taylor,	Yopp.
G. K. Smith,	Thornton,	
Stephens,	A. J. Williams,	

Those who voted in the negative are, Messrs.

Alread,	Hamilton,	M. Reid,
Anderson,	Headen,	Riley,
E. B. Arnold,	Hendrick,	Shewmake,
Barnes,	Hudson,	W R. Smith
Bostwick,	Leverett,	Staten,
Benj. Cleveland,	Masters,	J. Stewart,
W. C. Cleveland,	Manor,	Strickland,
Clements,	McGregor,	Sweat,
Denham,	McLean,	Trice,
Dial,	McMullin,	Turner,
Fields,	Mobley,	J. H. Walton,
Fish,	Moody,	Walker,
Green,	Nichols,	Whitworth,
Haynie,	Paris,	H. L. Williams.
Harrison,	Phillips,	Williamson,
Hays,	Pottle,	

So the motion to adjourn was lost.

On motion, the House adjourned until 9 o'clock Monday morning.

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## MONDAY, NOVEMBER 28th, 1853.

The House met pursuant to adjournment.

On motion, leave of absence was granted to Messrs. Barnes, Smith of Jasper, and Shewmake, for a few days.

The House then resumed the unfinished business of Saturday, the same being abill to be entitled an act to incorporate the McDonough Collegiate Seminary, and to prohibit retailers from giving, selling or furnishing to minor students, any quantity of spirituous liquors, without written permission from parents or guardians.

Mr. Masters moved to strike out the sixth and seventh sections of said bill, which prohibits retailers from giving, selling or furnishing any minor students, any quantity of spirituous liquors, without written permission from parents or guardians.

Whereupon, the yeas and nays were required to be recorded, and are : yeas 61, nays 30.

Those who voted in the affirmative are, Messrs.

Adams,	Henderson,	Reynolds,
E. B. Arnold,	Hudson,	Rice,
Bostwick,	Keith,	Riley,
Bridges,	Latham,	N. Robinson,
Brown,	Leverett,	Rucker,
Calloway,	Linn,	Rumph,
Cameron,	Masters,	G. K. Smith,
Benj. Cleveland,	Manor,	Staten,
W. C. Cleveland,	Mays,	Stephens,
Crittenden,	McComb,	J. Stewart,
Denham,	McDonald,	Stokes,
Dodds,	McDougald,	Sirickland,
Durden,	McLean,	Sweat,
Dial,	McMullin,	D. W. Taylor,
Fields,	McMillan,	J. H. Walton,
J. Hardin,	Moody,	Whitworth,
Harris,	Nichols,	H. L. Williams,
Mays,	Phillips,	Young,
Hardison,	Pickett,	Yopp,
Hamilton,	G. R. Reid,	
Headen,	M. Reid,	

Those who voted in the negative are, Messrs.

Alread,	Harrison,	Pottle,
Barnes,	Hendrick,	Powell,
Boatright,	Holland,	Powers,
Carlton,	Martin,	Shine,
Clements,	Maxwell,	W. Smith,
Cody,	McCurdy,	L. S. Stewart,
Crawford,	McGregor,	Strother,
Fish,	Mobley,	Turner,
Grant,	Paris,	Walker,
Gross,	Poole,	Williamson,

So the motion to strike out prevailed.

The report on the bill as amended was agreed to.

The bill as amended was read the third time and passed.

The following message was received from the Senate, by Mr. Moore, their Secretary :

*Mr. Speaker*—The Senate has passed a bill to be entitled an act for the relief of Angelique E. Levy, wife of Isaac Levy, of Richmond county.



The House then proceeded with the call of the counties, and the following bills were introduced and read the first time, to wit :

Mr. marrison reported

A bill to be entitled an act to increase the commissions of the Receiver of Tax Returns, of the county of Chatham.

Mr. Crawford reported

A bill to be entitled an act to authorize the Governor of the State of Georgia, to accept and consummate a contract, offered by Mark A. Cooper, proprietor of Etowah Iron Works, and to provide the means therefor.

Mr. Harrison reported

A bill to be entitled an act to amend an act entitled an act concerning Coroners and Inquests, passed December the 22nd, 1823, amendatory of the said act, so far as relates to the county of Chatham. Also,

A bill to be entitled an act to repeal an act to alter and amend the several acts relating to the Court of Common Pleas and Oyer and Terminer, for the city of Savannah, so far as relates to the fees of the Clerk of said Court.

Mr. Crawford reported

A bill to be entitled an act to incorporate the town of Adairsville, in the county of Cass, and for other purposes.

Mr. Dodds reported

A bill to be entitled an act to remove an election Precinct in the county of Coweta.

Mr. Latham reported

A bill to be entitled an act for the protection of creditors of corporations in certain cases.

Mr. Dodds reported

A bill to be entitled an act for the relief of William P. Jackson, a teacher of poor children in the county of Troup, in the year 1849. Also,

A bill to be entitled an act to incorporate the town of Graniteville, in the county of Coweta. Also,

A bill to be entitled an act to amend an act in relation to proceedings to recover debts not due, approved December 27th, 1845 ; and also, to amend the second Section of an act in addition to and amendatory of an act to regulate attachments in this State, passed December 18th, 1816.

Mr. Harrison reported.

A bill to be entitled an act to establish and incorporate a Bank in the city of Savannah.

Mr. Powell reported

A bill to be entitled an act to prevent the firing of any land, woods or marshes, anywhere within the county of Decatur, during a certain portion of the year therein named.

Mr. Dubignon reported

A bill to be entitled an act to authorize the Governor to

purchase iron, and loan the same to the Brunswick and Florida Rail Road Company.

Mr. Crawford, of Cass, from the Select Committee, to whom was referred a communication of the Governor, in relation to a proposition of the Honorable Mark A. Cooper, submits the following report :

Your committee, after examining the subject, are of opinion, that the development of the iron region of Georgia, is a matter of very great importance to the State. All are concerned in it. The agricultural, mining and manufacturing interests, are directly interested. A home supply of iron, in competition with foreign iron, cannot fail to cheapen prices, as well as insure the promptitude and certainty of the supply. Both of these effects are now seen and felt by the State and the citizens. The fact that the State now has an offer of iron, delivered on her Rail Road, at a price less than what it commands at Pittsburg, Cincinnati, or Nashville, and as low as it can be bought in New York or Philadelphia, is proof of the first statement. The fact that it can be delivered, from day to day, in quantities to suit the State, or its citizens, is proof of the second. Having a line of Rail Road, passing near Etowah works, shows that the State has a direct and particular interest in a certain supply of iron, at the lowest price. As a commonwealth, the State has a large interest in the success of the enterprise, in which the proprietor of the Etowah works has ventured his fortune, and spent his energies and talent, for ten years.

Population and labor are the prime elements, of national wealth and greatness. The iron business is multiplying, and inviting them into a waste region, and making it productive. By it, also, the hidden and unavailable ore is converted into a commodity for merchantable exchange. Heretofore, the vast drafts of the West on this State, for corn, wheat, hemp, mules and hogs, have found no effects to meet them, save the cotton. Recently, the iron of Georgia has found its way to the markets of Tennessee, North Alabama, Kentucky and Ohio. In this channel, a regular trade is now sustained from Georgia, by Georgia products. It is due to the proprietor of the Etowah works, to say, that he is the pioneer in this movement of trade.

Until recently, the foundries and smith shops of Middle Georgia have been dependent on the Northern and Liverpool coal, for that fuel. Now, a supply can be obtained within the limits of Georgia, at reduced prices. It is due to the same individual, to say, that his efforts, means and research have developed this trade.

In this, the State road and its shops, as well as the manufacturers and miners, are directly interested. Whilst the Rail Road system is being extended, the mines of gold and

copper, and plumbago and lead, and manganese and coal, are being discovered. and opened daily.

We have increasing evidence of the advantages of the manufacture of iron, at this location, so favored by nature, and so convenient to them all. Heretofore, it has struggled under great embarrassments in Georgia. It was begun at an early period in the settlement of the country, in advance of the Rail Road. Before it was fairly started, an unprecedented prostration of the iron trade came on, and continued for several years, until a year ago. It was scarcely to be hoped, that the energies or the capital of one man, could sustain the shock. The withdrawal of a wealthy partner left no alternative. The establishment was sold at a sacrifice; and as stated by Mr. Cooper in his communication, purchased by him, by the aid of friends.

Your committee find the facts as stated in the Governor's communication and accompanying documents, and to them, they beg leave to refer. The proposition of Mr. Cooper contemplates simply, that he should become the debtor of the State, instead of Mr. Wiley, his late partner, and obtain a little more time. The notes held by Mr. Wiley are deemed safe by him, and are so, without doubt—the State, therefore, runs no risk.

Mr. Cooper has fairly and frankly presented the benefits to himself, and the advantages to the State. One benefit to the State he has overlooked. The notes held by Mr. Wiley bear an interest of seven per centum, whilst the bonds, at the usual rate, will bear six per centum—making a gain to the State of one per centum.

Your committee, concurring with the suggestions of the Executive, and believing it to be interesting to the State, believing that the present proposition may be met, without setting an example of interfering for the aid of private enterprise, do, therefore, recommend the passage of the bill herewith reported.

Messrs. Walker and Calloway dissent from so much of the above report, as recommends a compliance with the proposition of Mark A. Cooper.

The following message was received from his Excellency the Governor, by Mr. Briscoe, his Secretary :

*Mr. Speaker:*—I am directed by his Excellency the Governor, to present to this branch of the General Assembly, a communication in writing.

On motion of Mr. Mobley, the communication from his Excellency the Governor, was taken up and read as follows, to wit :

EXECUTIVE DEPARTMENT, }  
MILLEDGEVILLE, November 26, 1853. }

*To the House of Representatives :*

Upon the representation of Elijah Bird, who is under sen-

tence of death in DeKalb county, to be executed on the 2d proximo, that a bill is pending in the Representative branch of the General Assembly, for his pardon, and that the day will probably transpire before it can be passed upon by the Legislature, in the regular course of business, I have thought proper to grant him a respite until Friday, the 30th of December proximo.

I have done this simply to allow time for deliberation, desiring that it shall not be construed into any expression of opinion whatever, on the part of the Executive, as to the merits of the case.

HERSCHEL V. JOHNSON.

Mr. McComb presented the following report, in relation to the removal of the Seat of Government :

A minority of the Special Committee, to whom was referred a bill providing for the removal of the Seat of Government to the city of Macon ; also, that portion of the Executive message, relative to the permanent location of the Seat of Government, beg leave to dissent from the majority report, for the following reasons :

1st. It is very questionable, if the people at large desire a removal of the Seat of Government. They have not forgotten the distress of 1841, when the Central Bank money was worth 60 cents on the dollar.—when the property of the citizens of this State, had but a nominal specie value—when but a slim majority saved the State road, and their disrelish at all times to pay heavy taxes, for extravagant legislation.

2d. The necessities of the Legislature are as well provided for in Milledgeville, as they can be in any city in the State, except Savannah. At the Fair, in Macon, the accommodations and fare were not better than in Milledgeville, during the first two weeks of the session. And why has not the accommodation been better ? It is because the citizens of Milledgeville have had no certainty of the permanency of the Seat of Government.

3d. The Act of 1804, if it does not confer vested rights constitutes a solemn compact between the State and the citizens of Milledgeville ; and this compact was partially renewed by the last Legislature, in their appropriating *twenty thousand dollars* to the Milledgeville and Gordon Rail Road implying upon the part of the State, that, if the inaccessibility of the Capitol was removed, the removal of the Seat of Government should no more be agitated forever. Such a compact creates a cause of action at law betwixt private citizens, when violated by either party.

4th. The largeness of the expenditure, in effecting the removal of the Seat of Government, is objectionable ; and our cheeks crimson with shame, that other objects, much more to the glory of the State, in every thing that makes a people

great and happy, in wealth and position, in civilization and refinement, in character at home and reputation abroad, must suffer, if this heavy expenditure is now incurred. We refer to our Asylum for the Lunatic, our Free Schools, our Geological Survey, our Military Institute at Marietta, and Deaf and Dumb Institute at Cave Spring—all which require special and favorable attention.

5th. Not only is the largeness of the sum total—for the Public Buildings in Milledgeville must be added in as a dead loss—an objection, but also the confusion and loss of our public documents.

6th. We doubt not, our dear native State will freely concur in any appropriation of her representatives, for her ornament; but we differ from the idea, that Georgia requires any stone and mortar, to make her respected by her sister States. We must look for their respect where it has already been found, in her matchless agricultural and mining products, improved by the skill, industry and intelligence of her citizens, and thrown open to the world, by her Rail Roads and navigable rivers.

7th. We dissent from the opinion, that there is any State a quarter of a century behind us, in the specifications of the report; but if there be, their reputation at home and abroad is not enhanced by these halls and grounds, so eloquently praised in the majority report, from New York to Louisiana, that we have ever seen or heard of.

8th. Our State Buildings, we are not aware, are any wise materially decayed, or out of repair. If they be, we have a large square, near the Rail Road Depot, belonging to the State; and the Public Buildings can be as well, as cheaply, and as beautifully constructed here, as elsewhere. If they are not large enough to accommodate the Legislature, the last expression of the will of the sovereign people, on the subject of the Legislature, was, that the Legislature itself should be lessened in number.

9th. Around the State House have clustered the Arsenal, the Executive Mansion, the Lunatic Asylum, and the Penitentiary, placed here to be under the inspection and control of the Governor and Legislature.

10th. The salubrity of Milledgeville, depending upon her pure water and fine climate, is proverbial, and in no city of the State could the same accommodation be afforded for the same price; and if the Legislature removes to a location, where the expenses will be doubled, their pay and that of the Government officers would be increased to a large amount annually.

Mr Trice moved to suspend the rules of the House, in order to allow him to introduce the following preamble and resolutions, to wit:

It has pleased Divine Providence to remove from our

midst, and from this body, of which he was a member, W. W. Arnold, Representative of the county of Pike. He was in attendance upon his duties in this body last Friday week, complaining of slight indisposition. Growing rapidly worse, he was taken to his home by his colleague—where, surrounded by the best of friends, he breathed his last on Friday night.

In the heart's first warm flow, at the loss of one endeared to us by private and unobtrusive virtues, we are apt to exceed the award of strict justice, in speaking of the dead.—But to those who knew the deceased well and long, it would be hard, indeed, to convince them, that praise of him could be easily exaggerated. Retiring and modest to a degree, that did his worth positive injustice, by withdrawing him too much from public notice, he was always a genuine man, when put to the trial, in every post of duty. And in his private walk, no one could give a brighter practical example of the beauty of a chaste and manly deportment : Therefore—

*Resolved*, That we have heard with deep sorrow of the demise of W. W. Arnold, Representative elect, and late member of this body, from the county of Pike, and that we regard his death as a loss to this branch of the General Assembly, and to the community in which he lived.

*Resolved*, That this House sincerely sympathize with the afflicted family of the deceased, under their bereavement ; and as a testimony of their respect to his memory, the members of this body will wear the usual badge of mourning during the session.

*Resolved*, That these resolutions be entered on the Journals of the House, and a copy thereof be transmitted to the family of the deceased.

*Resolved*, That the clerk transfer the foregoing resolutions to the Senate forthwith, and that the House do then adjourn for the day.

On motion of Mr. Trice, the foregoing resolutions were taken up, and unanimously adopted—when the clerk was directed to communicate the same to the Senate immediately.

On motion, the House then adjourned until 10 o'clock tomorrow morning.

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TUESDAY, NOVEMBER 29th, 1853.

The House met pursuant to adjournment.

On motion of Mr. Stapleton, the House reconsidered so much of the Journal of yesterday, as relates to the striking

out of that part of the bill to incorporate McDonough Collegiate Seminary, and to prohibit retailers from furnishing to minor students any quantity of spirituous liquors, without permission from parents or guardians, as relates to said prohibition.

The following message was received from the Senate, by Mr. Moore, their Secretary :

*Mr. Speaker*—The Senate has concurred unanimously, in the resolutions of the House, in reference to the decease of Wm. W Arnold, with an amendment, in which they ask the concurrence of the House.

They have also passed a bill entitled an act amendatory of the several laws incorporating the city of Milledgeville, so far as relates to the election of officers by the people.

On motion of Mr. McDougald, the rules of the House were suspended, and the resolutions in relation to the death of Wm. W Arnold, member elect from the county of Pike, were taken up, and the amendment of the Senate, to-wit: the striking out the words "this branch of," was unanimously concurred in by the House.

On motion of Mr. McComb, the rules of the House were suspended, and the following bill from the Senate was taken up and read the first time, to-wit :

A bill to be entitled an act, amendatory of the several laws incorporating the city of Milledgeville, so far as relates to the election of officers by the people.

Mr. Cleveland of Habersham made the following report, to-wit :

The Committee on New Counties, to whom was referred the bill to lay out a new county from the counties of Walker and Whitfield, and to organize the said new county, and add a part of Walker to Whitfield, beg leave to report unanimously in favor of said bill, and ask its passage.

On motion of Mr. Trice, the rules of the House were suspended, and his resolution in relation to authorizing the Governor to instruct the Solicitor General of the Flint Circuit to institute proceedings for the forfeiture of the charter of the Griffin and West Point Plank Road Company, was taken up; and on motion of Mr. Walker, the resolution was referred to the Committee on the Judiciary.

On motion of Mr. McCurdy, the rules of the House were suspended, and the House took up the report of the committee on the bill to be entitled an act to lay out and form a new county out of the counties of Walker and Whitfield, and organize said new county.

Mr. McCurdy moved to fill the blank in said bill, with the name of "Catoosa," which was agreed to.

The bill, as amended, was read the third time, and passed under the title thereof.

On motion, leave of absence was granted to Mr. Martin of Elbert, for a few days, on special business.

On motion of Mr. Cleveland of Habersham, the rules of the House were suspended, and the House took up the report on the bill to be entitled an act to lay out and organize a new county from the counties of Franklin and Elbert, and to provide for the organization of the same.

Mr. Poole moved as a substitute to said motion, that the bill from the Senate to be entitled an Act to lay out and organize a new county from the counties of Franklin and Elbert, and to provide for the organization of the same, be taken up; which was agreed to. And the said bill of the Senate was taken up and read the first time.

The House then proceeded with the call of the counties, and the following bills were introduced and read the first time, to-wit :

Mr. Mays reported

A bill to be entitled an act to incorporate the Mountain Rangers, in the county of Gordon. Also,

A bill to reduce the official bonds of the Sheriffs hereafter to be elected in the county of Gordon, from the sum of twenty thousand dollars, to the sum of ten thousand dollars.

Mr. Headen reported

A bill to be entitled an act to compensate the Grand and Petit Jurors of the county of Hall, and for other purposes therein named. Also,

A bill to be entitled an act to authorize and require the Tax Collector of the county of Hall to pay over to the Inferior Court, the taxes due the State from said county for the year 1854. Also,

A bill to be entitled an act to authorize Hezekiah H. Porter, an infirm man, of the county of Hall, as an itinerant trader, to vend any goods, wares and merchandize, within the western circuit, without obtaining license for the same.

Mr. Stewart of Hancock reported

A bill to be entitled an act to change the names of Rebecca Gertrude Garland, John Darius Garland, and James William Garland, to the names of Rebecca Gertrude Herringdine, John Darius Herringdine and James William Herringdine.

Mr. McMullin reported

A bill to be entitled an act to change the county line between the counties of Macon and Sumter, so as to attach certain citizens of the county of Sumter, to the county of Macon.

Mr. Whitworth introduced the following resolution :

*Resolved*, That the members of each House of the session be allowed them a copy of the Laws and Journals of the present session, and that the Governor be authorized to send the same, with the Laws and Journals of this State, to the several counties thereof.

On motion of Mr. Whitworth, the resolution was taken up, read and adopted.



Mr. Woodward reported

A bill to be entitled an act to amend the 7th Section of the 7th Article of the Constitution.

Mr. McDougald reported

A bill to be entitled an act to settle and fix the hours of labor by all free white males under twenty-one years of age, and by all free white females under or over twenty-one years of age, in all cotton, woollen, and other manufacturing establishments in this State, and to make all contracts to labor in said factories, for a greater length of time than herein prescribed, null and void, at the option of said males or females, and for other purposes therein named. Also,

A bill to be entitled an act to preserve inviolate the trial by jury as used in this State, prior to, and at the adoption of the Constitution thereof, on the 30th day of May, 1798, and to make said juries, in all cases, either at law, or in equity, the judges of the law, the equity and facts of each case, and to require said juries to return, in all cases, a general verdict; and for other purposes therein named.

Mr. Thornton reported

A bill to be entitled an act to amend an act entitled an act to regulate attachments in this State, passed the 18th February, 1799. Also,

A bill to be entitled an act to amend an act entitled an act to authorize parties plaintiffs to issue summons of garnishment in certain cases, as in cases of attachment.

Mr. Trice reported

A bill to be entitled an act to appropriate money to pay Francis Reviere and others, for expenses incurred by them in pursuing and apprehending certain robbers therein mentioned. Also,

A bill to be entitled an act for the government of slaves in this State.

Mr. Crittenden reported

A bill to be entitled an act to alter the time of holding the Inferior Court of Spaulding county.

Mr. Williams of Sumter reported

A bill to be entitled an act to authorize and require the Ordinaries of the counties of Marion and Sumter, to pay P. H. Delane and John A. Moss, certain sums of money for teaching poor children of said counties, and for other purposes therein named.

Mr. Moody reported

A bill to be entitled an act to authorize the Governor of this State, to cause to be paid to the School Commissioners of Tattnall county, certain money. Also,

A bill to be entitled an act to appropriate one thousand dollars to open the Canoochee River, from Tilmau's old bridge, to the Fifteen Mile Creek, and to appoint commissioners for the same.

Mr. Grant reported

A bill to be entitled an Act to authorize the Ordinary of the county of Upson, to pay over to Green H. Perdue, the sum of money due him for teaching poor children in said county, in the year 1852.

Mr. Walton, of Talbot, moved to suspend the rules of the House, to enable him to introduce the following resolution :

*Resolved*, That from and after next Thursday, the 1st day of December, it shall be a standing rule of this House to convene at 9 o'clock, A. M., 3 o'clock, P. M., and 7 o'clock, P. M., thereby manifesting zeal and industry in bringing the business of this Legislature to a close at an early a day as practicable.

On motion to suspend the rules, the yeas and nays were required to be recorded, and are, yeas 43, nays 54.

Those who voted in the affirmative are Messrs.

Alread,	Martin,	Staten,
Bostwick,	Masters,	J. Stewart,
Bridges,	Maxwell,	Strother,
Calloway,	McLean,	Sweat,
Cameron,	McMullin,	D. W. Taylor,
Carlton,	McMillan,	Turner,
Champion,	Mobley,	W. A. Walton,
Durden,	Moody,	J. H. Walton,
Fannin,	Nichols,	Walker,
Fields,	Phillips,	Whitworth, <sup>1</sup>
Haynie,	G. R. Reid,	H. L. Williams,
Hays,	M. Reid,	A. J. Williams,
Hardison,	Reynolds,	Williamson,
Headen,	Rice,	
Hudson,	W. Smith,	

Those who voted in the negative are Messrs.

Adams,	Fish,	Mays,
Andrews,	Gartrell,	McCurdy,
E. B. Arnold,	Grant,	McDonald,
Barnes,	Griffin,	McDougald,
Boatright,	Gross,	McGregor,
Benj. Cleveland,	Harris,	Moughon,
Cody,	Harrison,	Paris,
Crawford,	Hardeman,	Pickett,
Crittenden,	Hawkins,	Poole,
Dawson,	Hamilton,	Pottle,
Dodds,	Keith,	Richardson,
Dubignon,	Latham,	Riley,
Dial,	Linn,	R. A. Robinson,

Rowell,	Stephens,	Trice,
Rumph,	L. S. Stewart,	Wilson,
Shine,	Stokes,	Woodward,
G. K. Smith,	Strickland,	Young.
Stapleton,	Thornton,	

So the motion to suspend was lost.

Mr. McDougald, chairman of the Committee on the Judiciary, made the following report :

The Committee on the Judiciary, to whom was referred a bill entitled an act to authorize Justices of the Inferior Court to hold to bail in cases arising *ex delicto*, have had the same under consideration, and have to report in favor of its passage, and beg to be discharged from its further consideration,

Mr. Phillips, chairman of the Committee on Finance, made the following report :

The Finance Committee to whom was referred a bill for the compensation of sundry census takers, under the Act approved January 8th, 1852, report, that they have examined into the validity of the claims of the several census takers therein mentioned, and find them founded in justice, and that no part of the same has been paid ; they therefore report the bill back to the House, under the conviction that it should pass.

Mr. Walker from the Committee on Internal Improvements, made the following report, to-wit :

The Committee on Internal Improvements, beg leave to report, that in compliance with a resolution of the General Assembly, authorizing the appointment of a joint committee to visit and report upon the condition of the Western and Atlantic Rail Road ; such committee has been appointed, and consists, on the part of the House, of Messrs. Latham, Harrison and Dodds.

The House resumed the call of the counties, and the following bills were introduced and read the first time, to-wit :

Mr. Taylor reported

A bill to be entitled an act to abolish an election precinct at the house of Robert M. Cox, in the 541st District, G. M., in the county of Houston.

Mr. Robinson of Washington reported

A bill to be entitled an act to extend the corporate limits of the town of Sandersville.

Mr. Rumph reported

A bill to be entitled an Act to define the line between the counties of Wayne and Ware, so far as relates to the south side of Satilla River.

Mr. McCurdy reported

A bill to be entitled an act to incorporate the Dalton and Copper Mines Turnpike, Plank and Rail Road Company.

On motion of Mr. Trice, the House adjourned to 3 o'clock, P. M., this afternoon.

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### THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

On motion, leave of absence was granted to Messrs. Gross, Moody, Trice, Nichols, Linn, Taylor of Houston, and Darden, for a few days, after Friday next.

On motion, the rules were suspended and the House took up the report of the committee on the bill to be entitled an act to authorize Justices of the Inferior Court, to hold to bail in cases arising *ex delicto*. The report of the committee was agreed to. The bill was read the third time and passed.

The House then resumed the regular order of business, which was the reading of bills the third time.

The house took up the report of the committee on the bill to be entitled an act to authorize the Will's Valley Rail Road Company, incorporated by the Legislature of the State of Alabama, and any Rail Road Company incorporated by the State of Alabama, that may be associated with the Will's Valley Rail Road Company, to construct a Rail Road through the county of Dade and State of Georgia, to some point on the Nashville and Chattanooga Rail Road, in said county of Dade and State of Georgia, and for other purposes. The report of the committee was agreed to.— The bill was read the third time and passed.

Mr. Harrison moved to suspend the rules for the purpose of taking up for a third reading a bill to be entitled an act to incorporate the Eatonton and Monticello Rail Road; which was lost.

The House went into committee of the Whole, Mr. Arnold in the chair, on the bill to provide for the payment of certain census takers of this State therein named. The Committee arose, and Mr. Arnold reported the bill back to the House, without amendment. The report was agreed to. The bill was read the third time, and passed under the title thereof,

The House took up the report of the committee on the bill to be entitled an act to alter and amend the 12th Section of the 2d article of the Constitution, by striking out the words "appointed in the same manner and at the same session of the Legislature." and inserting in lieu thereof, "shall be elected by persons entitled to vote for Governor, at such time, and in such manner, as the Legislature shall or may direct.

The report was taken up; and on the question, "shall this bill now pass?" the yeas and nays were required to be recorded, and are: yeas 90, nays 15.

Those who voted in the affirmative are, Messrs.

Alread,	Hardison,	M. Reid,
E. B. Arnold,	Hamilton,	Richardson,
Bostwick,	Headen,	Riley,
Bridges,	Henderson,	R. A. Robinson,
Calloway,	Holland,	N. Robinson,
Cameron,	Hudson,	Rowell,
Carlton,	Irwin,	Rumph,
Champion,	Keith,	Shine,
Benj. Cleveland,	Leverett,	G. K. Smith,
Clements,	Martin,	W. Smith,
Crawford,	Masters,	Stapleton,
Crittenden,	Maxwell,	Staten,
Dawson,	Mays,	Stephens,
Denham,	McCurdy,	L. S. Stewart,
Dubignon,	McDonald,	J. Stewart,
Durden,	McDougald,	Stokes,
Fannin,	McGregor,	Strickland,
Fields,	McLean,	Strother,
Gartrell,	McMillan,	Sweat,
Grant,	Mobley,	D. W. Taylor,
Green,	Moody,	Thornton,
Griffin,	Moughon,	Trice,
Gross,	Nichols,	Turner,
James Hardin,	Paris,	J. H. Walton,
Haynie,	Phillips,	Whitworth,
Harris,	Pickett,	H. W. Williams,
Harrel,	Poole,	A. J. Williams,
Hardeman,	Powell,	Williamson,
Hays,	Powers,	Wilson,
Hawkins,	G. R. Reid,	Young.

Those who voted in the negative are, Messrs.

Adams,	Fish,	Rice,
Andrews,	McMullin,	W. Smith.
W. C. Cleveland,	Pottle,	W. A. Walton,
Cody,	Redding,	Walker,
Dial,	Reynolds,	Woodward,

So the Bill was passed by a constitutional majority.

On motion of Mr. Stapleton, the rules were suspended, and the House took up the bill to be entitled an act to incorpo-

rate the McDonough Collegiate Seminary, and to prohibit retailers from giving, selling, or furnishing minor students any quantity of spirituous liquors, without written permission from parents or guardians.

Mr. Stapleton moved to strike out the 6th and 7th sections of said bill, which relates to retailers giving, selling, or furnishing spirituous liquors to minor students, without permission from parents and guardians; which motion to strike out prevailed.

Mr. Stapleton then offered the following additional sections to the bill, in lieu of those stricken out.

Section 6th, *And be it further enacted by the authority aforesaid*, That the commissioners hereafter to be elected in the said town of McDonough under the original amendatory acts of incorporation or a majority of them, shall have full power and authority to pass and enforce all such by-laws and ordinances, as they, in their judgement, may believe are necessary to guard the interests of the citizens residing within the corporate limits of said town of McDonough, and to ensure the permanent prosperity of said institution. And the commissioners aforesaid, or a majority of them, shall have power to levy taxes, grant license, and such other immunities and privileges on such terms and under such restrictive laws and fines, as in their judgement may best promote the welfare of the citizens of said place, and protect the interests and the morals of the students of said Collegiate Seminary: *Provided*, The commissioners aforesaid shall pass no laws repugnant to the Constitution of the United States, nor to the constitution, nor laws of this State.

Section 7th, *And be it further enacted by the authority aforesaid*, That all laws, and parts of laws militating against this act be and the same are hereby repealed.

The House agreed to the report of the committee on the bill as amended; and the bill as amended, was read the third time and passed.

The House took up the report on the bill to be entitled an act to alter and amend the 3rd section of the 3rd article of the constitution, by striking out the words "appointed by the Legislature," and inserting in lieu thereof, the words, "elected by persons entitled to vote for members of the Legislature"—at such time and in such manner, as the Legislature may by law direct.

The report of the committee was agreed to; and upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded, and are: yeas 95, nays 12.

Those who voted in the affirmative are, Messrs.

Alread,	Hawkins,	M. Reid,
Andrews,	Hardison,	Rice,
E. B. Arnold,	Hamilton,	Richardson,
Bostwick,	Headen,	Riley,
Boatright,	Henderson,	R. A. Robinson,
Bridges,	Holland,	Rowell,
Calloway,	Hudson,	Rumph,
Cameron,	Irwin,	Shine,
Carlton,	Keith,	G. K. Smith,
Champion,	Lamar,	Stapleton,
Benj. Cleveland,	Leverett,	Staten,
Clements,	Linn,	Stephens,
Crawford,	Martin,	L. S. Stewart,
Crittenden,	Masters,	J. Stewart,
Dawson,	Maxwell,	Stokes,
Denham,	Mays,	Strickland,
Dodds,	McCurdy,	Strother,
Dubignen,	McDonald,	Sweat,
Durden,	McDougald,	D. W. Taylor,
Fannin,	McLean,	Thornton,
Fields,	McMillan,	Trice.
Fish,	Mobley,	W. A. Walton,
Gartrell,	Moody,	J. H. Walton,
Grant,	Moughon,	Walker,
Griffin,	Nichols,	Whitworth.
Gross,	Paris,	H. L. Williams;
Haynie,	Phillips,	A. J. Williams,
Harris,	Pickett,	Williamson,
Harrison,	Pottle,	Wilson,
Harrall,	Powell,	Woodward,
Hardeman,	Powers.	Young,
Hays,	G. R. Reid,	

Those who voted in the negative are, Messrs.

Adams,	Latham,	Redding,
W. C. Cleveland,	McGregor,	Reynolds,
Cody,	McMullin,	Wm. Smith,
Hendrick,	Pottle,	Rucker,

So the bill passed by a constitutional majority.

On motion of Mr. Martin, the House adjourned until 10 o'clock to-morrow morning.

WEDNESDAY, NOVEMBER 30th, 1853.

The House met pursuant to adjournment.

On motion of Mr. Trice, so much of the Journal of yesterday, as relates to the passage of the bill, incorporating the Wills Valley Rail Road Company, was reconsidered.

Mr. Phillips, from the Committee on Finance, made the following report:

The Committee on Finance, to whom was referred the reports of the Treasurer and Comptroller General, ask leave to report, that they found the books, vouchers, &c., in each of the departments, neatly and correctly kept, reflecting deserved credit on those different officers.

On the 20th of October, 1852, there remained in the Treasury, a balance of \$967,937 86

This amount was increased, by receipts from the 28th October, 1852, to the 20th of October, 1853, by the sum of	-	-	-	\$546,275 86
Showing an aggregate of	-	-	-	1,514,213 72

This sum was reduced by payments from the Treasury up to the 20th October, 1853, of	-	-	-	1,113,866 44
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Which being deducted from receipts, left in the Treasury, on the close of the fiscal year October 20, 1853.	-	-	-	400,347 28
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From the last mentioned date, up to the 24th inst., the receipts have been	-	-	-	149,631 25
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Making an aggregate on that day of	-	-	-	549,978 53
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From the close of the fiscal year, October 20th, 1853, up to the 24th instant, there has been paid out the sum of	-	-	-	32,263 10
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Which being deducted, left in the Treasury on the 24th, instant.	-	-	-	517,715 43
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Which was turned over by the late Treasurer to his successor, who receipted for the same on the books.

This cash balance, so called, presents a delusive aspect of the Treasury, and should be continued no longer. Nothing, which is not available, should be considered as assets; and of the above amount, much the largest half is unavailable and consists of the following items:

Scrip for Bank and Rail Road stock,	\$310,900 00
Sealed packages of uncurrent funds,	- 2,237 25
Western and Atlantic Rail Road scrip redeemed,	- - - 4,784 75
Attorneys receipts for notes of broken banks,	- - - 7,315 00
Sealed packages of uncurrent money,	- 227 00
Making an amount of unavailable as-	



sets of	-	-	-	-	-	325,564	00
Which being deducted, leaves as avail-							
able assets the sum of	-	-	-	-	-	192,151	00
Made up of the following items:							
Cash in banks of Savannah and Augusta,						93,545	61
Cash in bank of Augusta,	.	-				13,365	63
Certificates of deposit,	-	-	-			4,254	00
Coupons paid and on hand,	-	-	-			1,687	50
Advances to officers, act 1847,	-	-	-			93	50
Cash in the vault,	-	-	-			90,214	19
						\$192,151	43

The Central Bank having been turned over to the Treasury, will constitute the subject-matter of a separate report, at an early day.

All of which is respectfully submitted.

The following message was received from the Senate, by Moore, their secretary:

*Mr. Speaker*—The Senate has passed the following bills, to-wit:

A bill to be entitled an act to incorporate Marshall College, in the city of Griffin. Also,

A bill to be entitled an act, to lay out and organize a new county from the counties of Dooly and Irwin, and to attach the same to a Judicial and Congressional District; and to provide for the location of a county site, in such new county. Also,

A bill to be entitled an act to amend the first section, of third article of the Constitution of the State of Georgia.—Also,

A Bill to be entitled an Act for the relief of James Morris, of Randolph county.

Mr. Hardeman moved that the rules of the House be suspended, to take up the following bills of the Senate, to wit :

A Bill to be entitled an Act to divide the offices of Receivers of Tax Returns and Tax Collectors of the counties of Baker and Gwinnett. Also,

A Bill to be entitled an Act to legalize the adjournment of the Superior Court of Lee county ; which was agreed to, and the bills were read the first time.

On motion of Mr. McComb, the rules of the House were suspended, and the following bill of the Senate was taken up, and read the second time, to wit :

A Bill to be entitled an Act, amendatory of the several laws, incorporating the city of Milledgeville, so far as relates to the election of officers by the people.

Mr. Strother moved to suspend the rules of the House, in order to enable him to introduce a bill ; which motion was lost.

The House then resumed the regular course of business—the same being the consideration of the bill to be entitled an Act to amend and alter the 30th Section, 10th Division of an Act, to reform, amend and consolidate the penal laws of the State of Georgia, approved December 23d, 1833.

The House went into Committee of the Whole upon said bill, and after some time spent therein, the committee arose, and the Speaker reported the bill back to the House, as being agreed to.

Mr. Cleveland, of Habersham, moved to lay the bills and amendments, made in the Committee of the Whole, upon the table.

Upon which motion the yeas and nays were required to be recorded, and are : yeas 68, nays 39.

Those who voted in the affirmative are, Messrs.

Adams,	Hamilton,	M. Reid,
Bridges,	Henderson,	Rice,
Brown,	Hendrick,	Richardson,
Calloway,	Hudson,	Riley,
Champion,	Latham,	R. A. Robinson,
Benj. Cleveland,	Leverett,	N. Robinson,
W. C. Cleveland,	Linn,	Rowell,
Crawford,	Mays,	Rumph,
Crittenden,	McComb,	Shine,
Dawson,	McDonald,	J. C. Smith,
Dubignon,	McDougald,	G. K. Smith,
Durden,	McLean,	W. Smith,
Dial,	McMullin,	Staten,
Fields,	McMillan,	Stephens,
Gartrell,	Moody,	Strickland,
Grant,	Moughon,	Sweat,
Green,	Nichols,	D. W. Taylor,
Griffin,	Poole,	Thornton,
James Hardin,	Powell,	Trice,
Harris,	Powers,	Whitworth.
Hardeman,	Radford,	H. L. Williams,
Hays,	Redding,	Young.
Hardison,	G. R. Reid,	

Those who voted in the negative are, Messrs.

Alread,	Clements,	Harrison,
Anderson,	Cody,	Harrall,
Andrews,	Denham,	Headen,
E. B. Arnold,	Fannin,	Irwin,
Cameron,	Gross,	Keith,
Carlton,	Haynie	Lamar,

Masters,	Pottle,	W. A. Walton,
McCurdy,	Reynolds,	Walker,
McGregor,	Stapleton,	A. J. Williams,
Mobley,	L. S. Stewart,	Williamson,
Paris,	J. Stewart,	Wilson,
Phillips,	Strother,	Woodward,
Pickett,	Turner,	Yopp.

So the motion to lay on the table prevailed.

On motion of Mr. Poole, the rules of the House were suspended, to allow him to introduce the following resolution :

*Resolved*, That from and after this day, the adjournment of this House shall be until 9 o'clock, A. M., and 3 o'clock, P. M., each day ; and the regular business of evening sessions, shall be the reading of the bills of the House the second time, and the bills of the Senate the first and second time, until otherwise ordered by this House.

On motion of Mr. Poole, the resolution was taken up.

Mr. Pottle moved to amend said resolution, by striking out the words "9 o'clock," and inserting "10 o'clock ;" which was lost.

The original resolution was then adopted.

Mr. McDougald made the following report :

The Special Committee on the Deaf and Dumb Asylum, have had the report of its Principal, O. P. Fannin, to his Excellency, the Governor of this State, under consideration, and beg leave to report :

After examining all the items of expenditure contained in it, they have come unanimously to the conclusion, that the expenditures are just and reasonable, and made for such objects as were of prime necessity, and the prices paid for the same were within the bounds of the strictest economy.

The committee deem it advisable to ask the House to have printed two hundred and fifty copies of the report of the Principal, O. P. Fannin, for the information of the House. They, also, respectfully ask the House, for leave to appoint a Select Sub-Committee of Three, whose duty it shall be to repair in person to said Asylum, with full power to call for persons and papers, and to examine the character of the buildings, and improvements, and the books ; and that they report to this House, with an estimate of the amount of money necessary to carry on its future humane operations.

The reason the committee ask for the sub-committee is very obvious ; and they refrain from stating more, than to say, that such examination by a sub-committee, will greatly tend to ~~allay~~ <sup>remove</sup> some unfounded prejudices, now existing against the Institution, and, also, furnish this House with

correct data, upon which to have a reasonable appropriation for the next ensuing two years.

All of which is respectfully submitted.

On motion of Mr. McDougald, the rules of the House were suspended, to enable him to introduce the following resolution ; which was taken up, read and agreed to, to wit :

*Resolved*, That two hundred and fifty copies of the report of O. P. Fannin, Principal of the Deaf and Dumb Asylum, to the Governor of this State, be printed under the inspection of the clerk, for the information of this House.

Mr. Adams made the following report :

Mr. Adams, from the Committee on Petitions, begs leave to make the following report :

Your committee have considered the petition of Zadoc Wheeler, praying the Legislature to grant him a divorce, *a vinculo matrimonii*, on the ground of adultery, committed by his wife, and have arrived at the conclusion, that, as by Legislative enactment, this is one of the grounds for which the Superior Courts are authorized to grant divorces ; and as a trial by this tribunal would elucidate facts, that would be unknown to Legislators probably, and the country would judge whether he be entitled, or not ; and believing the Courts to be only proper tribunal, they recommend that the prayer of the petitioner be refused.

The House then proceeded with the call of the counties, and the following bills were introduced, and read the first time :

Mr. McComb reported

A Bill to incorporate the Milledgeville Hotel Company.

Mr. Strickland reported

A Bill to be entitled on Act to authorize the Inferior Court of Bryan county to lay out and dispose of as they may deem necessary, the lots belonging to the county site of said county, and for other purposes therein specified.

Mr. Latham reported

A Bill to be entitled an Act to incorporate the Salt Springs Academy, in the county of Campbell, and to appoint Trustees for the same.

Mr. Harrison reported

A Bill to be entitled an Act to amend an Act entitled an Act to incorporate the Ogeechee Plank Road Company, and for other purposes therein named.

Mr. Fields reported

A Bill to be entitled an Act to compel parties plaintiffs in Justices Courts to pay cost, before taking out a writ of *capias ad satisfaciendum*.

Mr. Gartrell reported

A Bill to be entitled an Act to separate and divorce Flora J. Christopherson, of the county of Cobb. and John Christopherson her husband.

Mr. Smith, of DeKalb, reported

A Bill to be entitled an Act for the relief of Martha W Gray and Louisa A. Mahaffey, teachers of poor children of the county of DeKalb, in the years 1847 and 1851.

Mr. Smith, of DeKalb reported

A Bill to be entitled an Act to incorporate the Lythonia Male and Female Academy, and to appoint Trustees for the same. Also,

A Bill to be entitled an Act to alter and amend the Poor School Laws of this State.

Mr. Powell reported

A Bill to be entitled an Act to allow jurors serving in Justices Courts, additional compensation for verdicts rendered in such courts, so far as relates to the county of Decatur.

Mr. Denham reported

A Bill to be entitled an Act to repeal all laws respecting the importation of slaves into this State.

Mr. Mays reported

A Bill to be entitled an Act to change the lines between the counties of Cass and Gordon, and Floyd and Gordon.

Mr. Fish reported

A Bill to be entitled an Act to amend an Act to alter and amend the several Acts in relation itinerant traders, and to prescribe the mode of their obtaining license, approved November 27, 1845, so far as to increase the tax on said itinerant traders, in the county of Jasper.

Mr. Strother reported

A Bill to be entitled an Act to provide for ascertaining the will of the people, in reference to the removal of the Seat of Government, and

The following message was received from the Senate, by their Secretary, Mr. Moore :

*Mr. Speaker*—The Senate has agreed to a resolution, directing me to report to the House of Representatives, the names of the Senators composing the Senate Committee on the Penitentiary, and request the joint action of the committee appointed on the part of the House.

The Senate Committee are Messrs. Thomas, Griggs, Strickland, Trammel, Brown of Thomas, Dunuagan, White, Lawrence, Lamberth and Smith.

Mr. McDougald offered the following resolution ; which was taken up and agreed to :

*Resolved*, That the Clerk of the House of Representatives inform the Senate, of the names of the persons constituting the Committee on the Penitentiary, and that the same unite with the committee from the Senate, as a Joint Committee on the Penitentiary.

Mr. Redding made the following report, to wit :

That, after due deliberation, they offer the following bill, as a substitute for the one referred to them, and recommend its passage.

Mr. Redding reported

A Bill to be entitled an Act to define the liabilities of Railroad Companies in this State.

Mr. Hawkins reported

A Bill to be entitled an Act to amend an Act entitled an Act to incorporate the Coosa and Chattooga River Railroad Company.

Mr. Thornton reported

A Bill to authorize attorneys at law to arrest proceedings at law by *certiorari*, in certain cases. Also,

A Bill to be entitled an Act to authorize one partner to confess judgment and enter appeals, in certain cases.

Mr. Lamar reported

A Bill to be entitled an Act to change the line between the counties of Newton and Walton. Also,

A Bill to be entitled an Act to incorporate the Eatonton and Covington Rail Road.

On motion of Mr. Irwin, the use of the Representative Hall was granted to the Educational Convention, this evening, at 7 o'clock.

On motion of Mr. Walker, the House adjourned until 3 o'clock this afternoon, for the purpose of reading bills of the House the second time, and bills of the Senate the first time.

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### THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

The call of the counties was continued, and the following bills were introduced, and read the first time, to wit:

Mr. Calloway reported

A Bill to be entitled an Act to repeal the third Section of an Act, to extend the corporate limits of the town of Eatonton, to regulate licenses therein, and to change the time of electing commissioners, and for other purposes, approved May 22d, 1852.

Mr. Riley reported

A Bill to be entitled an Act to repeal so much of the third Section of an Act, entitled an Act to provide for the education of the poor, approved January 22d, 1852, as prevents the provision of said Act being extended to the county of Lumpkin, and that the provision of said Act be extended to said county of Lumpkin.

Mr. Gross reported

A Bill to be entitled an Act to incorporate a Methodist Episcopal Church, in the county of Scriven, and appoint Trustees for the same.

Mr. Walton, of Richmond, reported

A Bill to be entitled an Act to incorporate the Clinch Rifles Loan Association.

Mr. Fannin reported

A Bill to be entitled an Act for the relief of Benjamin H. Cameron, of Troup.

Mr. Pottle reported

A Bill to be entitled an Act to fix and regulate the fees of Attorneys and Solicitors General in this State.

Mr. Anderson reported

A Bill to be entitled an Act for the relief of Liney Pool, formerly Liney Walker, of Wilkes county, and to change the name of said Liney Pool, to that of Liney Walker. Also,

A Bill to be entitled an Act to authorize Doctors William D. Quinn and James H. Lane, of the county of Wilkes, to practice medicine, and charge for the same, and for other purposes therein specified.

The following bills were taken up, read the second time and ordered to be committed for a third reading :

A Bill to be entitled an Act to authorize the Governor of this State to issue State bonds to the Ellijay Rail Road Company, and for other purposes therein mentioned.

A Bill to be entitled an Act to authorize his Excellency, the Governor, to draw his warrant on the Treasurer in favor of James R. Henry, of Gwinnett county, for the sum of twelve dollars and fourteen cents, the same being the amount of the one half of a double tax by him paid for the year 1853.

A Bill to be entitled an Act to authorize Fleming J. Peters, of the county of Gwinnett, and Isaac N. McMillin, of the county of Jackson, infirm men, as itinerant traders, to vend any goods, wares and merchandize within the 6th Congressional District.

A Bill to be entitled an Act to authorize the county of Lumpkin to retain the State tax for the years 1854 and 1855.

A Bill to be entitled an Act to reduce the Sheriff's bond of Decatur county.

A Bill to be entitled an Act to appropriate money to Morgan Kemp, formerly Sheriff of Marion county, for services rendered by him in and about the sale of certain fractional lots of land in the county of Marion, for the State.

A Bill to be entitled an Act for the relief of William P. Allen and Elizabeth Kooneman of the county of Burke.

A Bill to be entitled an Act to extend the jurisdiction of the Justices of the Peace of Lumpkin county.

A Bill to be entitled an Act for the relief of Benjamin D. Hill, of the county of Burke.

A Bill to be entitled an Act to alter and amend the 3d Article of the Constitution of this State, so as to give the

election of an Attorney and Solicitors General for the several Judicial Circuits in this State, to the people.

A Bill to be entitled an Act to repeal an Act entitled an Act more effectually to prevent fraud in elections in this State, and to detect and punish the same, approved January 27th, 1852.

A Bill to be entitled an Act to repeal that part of an Act entitled an Act for the government and management of the Western and Atlantic Rail Road, approved January 15th, 1852, so far as relates to the election of Superintendent of said Rail Road.

On motion of Mr. McDougald, the rule was suspended, and the following bill of the Senate was taken up and read the first time, to wit :

A Bill to be entitled an Act to incorporate Marshall College, in city of Griffin.

The House then proceeded with the regular order of business, and the following bills were taken up, read a second time and ordered to be committed for a third reading, to wit :

A Bill to be entitled an Act to repeal an Act entitled an Act to provide for the trial by the Superior Courts of this State of any slave or slaves or free persons of color, charged with any capital offence against the laws of this State, approved 14th February, 1850.

A Bill to add that part of Gordon county that joins the lands of Farish Carter, to the county of Murray.

A Bill to be entitled an Act to carry into effect the last paragraph of the 8th Section of the 3d Article of the Constitution of this State, and to secure to all persons in this State the right to advocate, argue and defend his or her cause, before any court or tribunal, either in person or by any number of counsel, attorneys, solicitors or advocates, deemed expedient by any such person or by both, and to repeal and render null and void a certain rule or law therein specified, and for other purposes therein named.

A Bill to be entitled an Act to add additional Sections to the 13th Division of the penal code of the State of Georgia, and to provide for the punishment of free white persons for aiding or assisting negroes or free persons of color, lawfully committed or detained in any jail, to escape therefrom, and for other purposes.

A Bill to be entitled an Act to define the liabilities of Rail Road Companies, in certain cases, where passengers are killed or wounded through the negligence or carelessness of their agents or employees, and to provide a remedy for the same, and for other purposes.

A Bill to be entitled an Act to make certain persons therein mentioned competent jurors and witnesses, and to declare the law therein.



A Bill to be entitled an Act to alter and amend the oath to be administered to voters at elections in this State.

A Bill to be entitled an Act to alter and amend an Act entitled an Act for the government and management of the Western and Atlantic Rail Road, approved January 15th, 1852, and give the election of Superintendent of said Road to the people.

The following bills were read the second time, and ordered to be engrossed for a third reading.

A Bill to be entitled an Act to compensate the Petit Jurors of the county of Stewart.

A Bill to be entitled an Act to authorize the Justices of the Inferior Court of Wayne county to receive the State tax of Wayne county, for the years 1854--'55, &c.

The following bills were taken up and read the second time, and ordered to be committed for a third reading, to wit :

A Bill to be entitled an Act to compel persons who own or may hereafter own lands improved or unimproved in the counties of Wayne and Union, to give in and pay taxes on the same in said counties.

A Bill to be entitled an Act to amend the claim laws of this State.

A Bill to be entitled an Act to allow certain persons therein named, to administer oaths.

A bill to be entitled an act to lay out and organize a new county from the counties of Franklin and Elbert and to provide for the organization of the same.

Mr. Latham, from the Committee on Public Printing, made the following report :

The committee, to whom was referred so much of the Governor's message as relates to the subject of Public Printing, after careful investigation of the matter, beg leave to report that they are of opinion that the delay in publishing the Laws and Journals of the last Legislature was not occasioned by the fact that the printing was not done at the capital, but was owing mainly to the ill health and pecuniary embarrassments of Mr. Ray. There is no absolute necessity for having either the Laws or Journals printed in Milledgeville. Other places have equal if not superior facilities for executing the work. Besides, it would be creating a monopoly at the Seat of Government which would alike be dangerous in precedent and unjust to the other presses of the State. It is the interest of the Government and people to increase and not diminish competition.

In regard to what is termed the job printing for the Legislature, the case is otherwise ; but it is a small item in the bill of expenses, and the Public Printer can either let the contract to one of the metropolitan papers or establish an office of his own. The present printer has made the former

arrangement with one of the presses in this city, and the work has thus far been executed with promptness. We therefore deem it unnecessary to make any change in the law in this respect. The printer takes the contract at his own risk; he gives ample bonds, and the law should empower the Governor to enforce the proper and speedy execution of the work.

Your committee have examined all the existing laws on the subject of State printing and find them very defective. The Act of 1836, fixing the rate of compensation, &c., prescribed the manner in which the Laws and Journals should be printed. The Act of 1841 reduced the rate of compensation twenty per cent. The Act of 1852 changed entirely the manner of publishing the Laws. It increased the size of the pages, required the insertion of marginal notes and made other alterations, which nearly doubled the cost of the work to the printer, but gave him no increased compensation. This your committee regard as a hardship, especially as labor and materials are now much dearer than in 1841, when the reduction was made.

Your committee are of opinion that the suggestion of his Excellency, in regard to giving the Executive increased power and control over the printer, is a good one and therefore extend to it their cordial approval. They have accordingly prepared and herewith submit a bill, remodeling the above law upon this subject. As there is no fixed rule for the compensation of the present State Printer, it is proposed to place him on a footing with his successors in that respect, provided the work is promptly executed. We are pleased to learn from that officer that he has made ample preparations for the prompt and faithful execution of the work. It is hoped that the accompanying bill will be found sufficient to meet the whole case.

Accompanying the foregoing report, Mr. Latham reported the following bill, which was read the first time, to wit:

A bill to be entitled an act to amend the several Acts of the General Assembly in regard to the election of Public Printer, and more particularly to prescribe the duties, liabilities and compensation of said officer, and for other purposes.

The following bills were then taken up, read a second time, and ordered to be committed for a third reading to wit:

A bill to be entitled an Act to confer certain privileges upon Joseph Neely, of the county of Thomas, and render him capable of transacting business for himself.

A bill to be entitled an act to confer certain privileges upon Francis M. Wilson, of Thomas county, and make lawful his acts and give him authority to transact business, as though he was twenty-one years old, and for other purposes therein mentioned.

A bill to be entitled an act to make penal the using of any poisonous substance in any of the water courses in the county of Thomas, for the purpose of poisoning and catching fish.

A bill to be entitled an act to incorporate the Baldwin Blues Loan and Building Association.

A bill to be entitled an act for the relief of Levi Burtz, an infirm and indigent person.

A bill to be entitled an act to authorize and require the School Commissioners of Campbell county to pay to Wiley Scoggin certain money for teaching poor children.

A bill to be entitled an act for the relief of John Hull, of the county of Fayette.

A bill to be entitled an Act to repeal the 2d Section of the 9th Division of the Penal Code of this State, and to substitute a Section in lieu thereof, and for other purposes.

On motion, the rules were suspended, and Mr. Williams of Sumter, reported

A bill to be entitled an act to allow the several Receivers of Tax Returns of this State an additional compensation for their services; which was read the first time.

Mr. McDougald reported

A bill to be entitled an act to lay out and form a new county from the counties of Muscogee, Marion and Stewart, and to organize the same; which was read the first time.

Mr. Turner reported

A bill to be entitled an act to incorporate the Tocoah Mining Company, and for other purposes; which was read the first time.

Mr. Paris reported

A bill to be entitled an act to compel Clerks of the Superior and Inferior Courts, Justices of the Peace and all other officers of this State, empowered to issue executions, to make out and tax a regular bill of costs in each case; which was read the first time.

Mr. Carlton reported

A bill to be entitled an act to change the line between the counties of Clark and Jackson and define the same; which was read the first time.

The House then proceeded to the regular order of business, and the following bills were taken up and read the second time, and ordered to be committed for a third reading, to wit:

A bill to be entitled an Act to incorporate the Rome Volunteers, and to extend to them certain privileges and grant certain immunities.

A bill to be entitled an act to repeal an act, approved December, 1851, to change the line between the counties of Ware and Wayne.

On motion of Mr. Stewart of Hancock, the House adjourned until 9 o'clock to-morrow morning.

THURSDAY, DECEMBER 1st, 1853.

The House met pursuant to adjournment.

On motion, leave of absence was granted to Messrs. Mobley, Moody, Boatright and Carlton.

Mr. Mobley moved to suspend the rules, to take up the bill to be entitled an act to indemnify Henry M. Burkhalter, for loss sustained by him, in consequence of the State selling to him, a fractional lot of land, to which it had no title.

The Speaker reported the bill back to the House with an amendment.

The report was agreed to.

The bill as amended was read the third time, and passed under the title thereof.

On motion of Mr. Carlton, the rules were suspended, and the petition of James T. Sansom, praying the State to refund to him eight dollars, which he paid as tax as administrator on stock in High Shoals Manufacturing Company, was taken up and read.

On motion of Mr. Carlton, the petition was referred to the Committee on Finance.

A communication from his Excellency the Governor, transmitting a map of the city of Atlanta, to the House of Representatives, was taken up and read as follows, to wit :

EXECUTIVE CHAMBER, }  
MILLEDGEVILLE, Dec. 1st. 1853. }

To HON. JOHN E. WARD,

*Speaker of the House of Representatives :*

Dear Sir,—The accompanying map of the city of Atlanta, was forwarded to me by the corporate authority thereof, as a present to the House of Representatives.

I take this method of handing it to you, as the presiding officer of that body, that you may bring it to the notice of the House, in such manner as you may deem best, to effect the object of the donors. Your Ob't. Ser't.

HERSCHEL V JOHNSON.

On motion of Mr. Walker, the rules were suspended, to enable him to introduce the following resolution, which was taken up, read and adopted, to wit :

*Resolved,* That all bills for the incorporation of Rail Road Companies ; all bills for the establishment of a general Rail Road law ; and all bills asking assistance from the State, for the erection of Rail Roads in this State, be referred to the Committee on Internal Improvements.

The following message was received from the Senate, by Mr. Moore, their Secretary :

*Mr. Speaker*—The Senate has passed the following bills, to wit :

A bill to be entitled an act to repeal an act, assented to 22nd day of January, 1852, amendatory of the Road Laws of this State, so far as relates to the county of Baldwin. Also,

A bill to be entitled an Act to incorporate the Eatonton and Covington Rail Road Company. Also,

A bill to be entitled an act to provide for furnishing Superintendents of certain elections, blank forms for making out their returns. Also,

A bill to be entitled an act to authorize the principal Engineer of the Western and Atlantic Rail Road, to pay a negro, Ransom, compensation for his own services. Also,

A bill to be entitled an act to amend an Act entitled an act to authorize the raising and establishing a Fire Company in the city of Atlanta, and also to incorporate the same, to be known by the name and style of the Atlanta Fire Company, No. 1, and to grant them certain privileges and exemptions. Also,

A bill to be entitled an act to repeal a certain portion of an act entitled an act to prevent the killing of deer at certain periods of the year, in the county of Carroll. Also,

A bill to be entitled an act to grant certain exemptions to the Liberty Independent Troops and Liberty Guards, of the 1st Squadron, 1st Division, Georgia Militia. Also,

A bill to be entitled an act to grant corporate powers and privileges to the Madison Steam Mill Company. Also,

A bill of the House of Representatives to be entitled an act to appropriate money from the Treasury, as a contingent fund, for the political years 1854 and 1855, with an amendment, in which they ask the concurrence of the House of Representatives.

The House went into Committee of the Whole, on the bill to be entitled an act for the removal of the Seat of Government, to the city of Macon, and after some time spent therein, the committee arose, and Mr. Phillips, from the chair, reported the bill back to the House, as disagreed to.

Mr. Latham moved that one hundred and fifty copies of the bill and amendments, proposed in Committee of the Whole, be printed for the use of the House ; which was lost.

The following message was received from the Senate, by Mr. Moore, their Secretary :

*Mr. Speaker*—The Senate has passed the following bills, to wit :

A bill for the relief of William A. Clements. Also,

A bill to be entitled an act to consolidate the offices of Tax Receiver and Collector of the county of Irwin. Also,

A bill to be entitled an act to incorporate Fletcher Institute, of Thomas county. Also,

A bill to be entitled an act to incorporate the town of Carnesville, in the county of Franklin, and to appoint Commissioners for the same, and to repeal all laws heretofore passed, for the government of such town.

On motion, the House then adjourned until 3 o'clock, P. M.

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### THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

On motion, leave of absence was granted to Messrs. Reid of Irwin, Cameron, Reynolds, and Williams of Sumter for a few days.

On motion of Mr. McDougald, the rules of the House were suspended, to allow him to introduce the following bill : which was read the first time, to-wit :

A bill to be entitled an act to amend the several acts relating to the Court of Common Pleas, of Oyer and Terminer, for the city of Savannah, and for other purposes.

On motion of Mr. McDougald, the rules were suspended.

The House went into Committee of the Whole, the Speaker in the chair, upon the bill to lay out a new county from the county of Stewart, and provide for the organization of the same, and after sometime spent therein, the committee arose, and the Speaker reported the bill back to the House, with an amendment.

Mr. Thornton moved to re-commit the bill as amended, to the Committee on New Counties ; upon which motion, the yeas and nays were required to be recorded, and are : yeas 44, nays 57.

Those who voted in the affirmative are, Messrs.

Alread,  
E. B. Arnold,  
Armstrong,  
Bostwick,  
Bridges,  
Brown,  
Carlton,  
Champion,  
Cody,  
Denham,  
Dodds,  
Dubignon,  
Fannin,

Grant,  
Gross,  
W. P. Harden,  
Harris,  
Hardeman,  
Hamilton,  
Irwin,  
Maxwell,  
McWhorter,  
Moody,  
Paris,  
Pottle,  
Powers,

Radford,  
Redding,  
Reynolds,  
Riley,  
Stapleton,  
Staten,  
Stephens,  
L. S. Stewart,  
Stokes,  
Strickland,  
Strother,  
Thornton,  
Turner,

W. A. Walton,	Wilson,	Yopp.
Walker,	Woodward,	

Those who voted in the negative are, Messrs.

Adams,	Hardison,	Phillips,
Andrews,	Headen,	Pickett,
Calloway,	Henderson,	M. Reid,
Benj. Cleveland,	Holland,	Rice,
W. C. Cleveland,	Hudson,	Richardson,
Clements,	Keith,	R. A. Robinson,
Crawford,	Latham,	N. Robinson,
Crittenden,	Leverett,	Rowell,
Durden,	Masters,	Rumph,
Dial,	Manor,	Shine,
Eberhart,	Mays,	G. K. Smith,
Fields,	McCurdy,	W. Smith,
Fish,	McDonald,	J. Stewart,
Gartrell,	McDougald,	J. Taylor,
Green,	McGregor,	Trice,
Griffin,	McLean,	H. L. Williams,
James Hardin,	McMillan,	Williford,
Haynie,	McMullan,	Young,
Harrell,	Moughon,	
Hawkins,		

So the motion to re-commit was lost.

Mr. Walker moved to postpone the bill for the present, on which motion the yeas and nays were required to be recorded, and are: yeas 42, nays 59.

Those who voted in the affirmative are, Messrs,

E. B. Arnold,	Harris,	Riley,
Armstrong,	Hardeman,	Stapleton,
Bostwick,	Hamilton,	Staten,
Bridges,	Irwin,	Stephens,
Brown,	Lamar,	L. S. Stewart,
Calloway,	McLean,	Strickland,
Carlton,	McWhorter,	Strother,
Champion,	Moody,	Turner,
Cody,	Paris,	Thornton,
Dubignon,	Pottle,	W. A. Walton,
Fannin,	Powers,	Walker,
Grant,	Radford,	Wilson,
Gross,	Redding,	Woodward,
W. P. Harden,	Reynolds,	Yopp.

Those who voted in the negative are, Messrs.

Adams,	Headen,	Poole,
Andrews,	Henderson,	M. Reid,
Benj. Cleveland,	Holland,	Rice,
W. C. Cleveland,	Hudson,	Richardson,
Clements,	Keith,	R. A. Robinson,
Crawford,	Latham,	N. Robinson,
Crittenden,	Leverett,	Rowell,
Denham,	Masters,	Shine,
Durden,	Maxwell,	G. K. Smith,
Dial,	Manor,	W. Smith,
Eberhart,	Mays,	J. Stewart,
Fields,	McCurdy,	Stokes,
Fish,	McDonald,	J. Taylor,
Gartrell,	McDougald,	Trice,
Green,	McGregor,	West,
Griffin,	McMillan,	Whitworth,
James Hardin,	McMullin,	H. L. Williams,
Hayne,	Moughon,	Williford,
Hawkins,	Phillips,	Young,
Hardison,	Pickett,	

So the motion to postpone was lost.

On motion of Mr. Cody, the use of the Hall was tendered to the Educational Society this evening.

On motion, leave of absence was granted to Messrs. Latham, Harrison and Dodds, the Committee appointed to examine the State Road. for a few days.

On motion, leave of absence was granted to the Speaker and Messrs. Sirother, Robinson of Randolph, Anderson and Andrews.

Mr. Stewart of Hancock, moved that the House do now adjourn, on which motion, the yeas and nays were required to be recorded, and are: yeas 55, nays 41.

Those who voted in the affirmative are, Messrs.

Alread,	Dodds,	Hardeman,
Andrews,	Dubignon,	Hamilton,
Armstrong,	Durden,	Holland,
Bostwick,	Eberhart,	Irwin,
Bridges,	Fannin,	Lamar,
Brown,	Grant,	Leverett,
Calloway,	Gross,	Maxwell,
Carlton,	W. P. Harden,	Mays,
Champion,	Harris,	McCurdy,
Cody,	Harrall,	McDonald,



McGregor,	Reynolds,	Thornton,
McWhorter,	Riley,	Turner,
Moody,	Stapleton,	W. A. Walton,
Paris,	Staten,	Walker,
Poole,	Stephens,	Wilson,
Powers,	L. S. Stewart,	Williford,
Radford,	Strickland,	Woodward,
Redding,	Strother,	Yopp.

Those who voted in the negative are, Messrs.

Adams,	Headen,	R. A. Robinson,
E. B. Arnold,	Henderson,	N. Robinson,
Benj. Cleveland,	Hudson,	Rowell,
W. C. Cleveland,	Latham,	Shine,
Clements,	Masters,	G. K. Smith,
Crawford,	Manor,	W. Smith,
Crittenden,	McDougald,	J. Stewart,
Dial,	McLean,	Stokes,
Fields,	McMullin,	J. Taylor,
Fish,	Moughon,	Trice,
Griffin,	Phillips,	West,
James Hardin,	Pickett,	Whitworth,
Hawkins,	M. Reid,	Young,
Hardison,	Rice,	

So the motion to adjourn was agreed to, and the House adjourned until 9 o'clock to-morrow morning.

## FRIDAY, DECEMBER 2d, 1853.

The House met pursuant to adjournment.

On motion of Mr. McComb, the rules of the House were suspended, and the House took up the report upon the bill to be entitled an act amendatory of the several laws incorporating the city of Milledgeville, so far as relates to the election of officers by the people.

The report was agreed to; the bill was read the third time and passed.

On motion of Mr. Phillips, the rules were suspended, and the House took up the report of the Committee, on the bill to be entitled an act to appropriate money from the Treasury, as a contingent fund, for the political years 1854 and 1855.

On motion of Mr. Arnold, the House concurred in the amendment of the Senate, and the bill was passed.

The House then resumed the regular order of business, which was the passage of the bill to be entitled an Act to lay

out a new county from the county of Stewart, and provide for the organization of the same.

Upon the question, "Shall this bill now pass?" Mr. Gartrell called for the yeas and nays, and they were required to be recorded, and are : yeas 72, nays 29.

Those who voted in the affirmative are, Messrs.

Adams,	Hardison,	Poole,
Alread,	Headen,	Radford,
Andrews,	Henderson,	G. R. Reid,
Bell,	Hendrick,	M. Reid,
Boatright,	Hood,	Rice,
Calloway,	Holland,	Richardson,
Benj. Cleveland,	Hudson,	R. A. Robinson,
W. C. Cleveland,	Irwin,	Rowell,
Clements,	Keith,	Rumph,
Crawford,	Lamar,	Shine,
Crittenden,	Latham,	G. K. Smith,
Denham,	Masters,	Wm. Smith,
Durden,	Mays,	Stapleton,
Dial,	McCurdy,	Staten,
Eberhart,	McDonald,	J. Stewart,
Fannin,	McDougald,	Strickland,
Fields,	McGregor,	Strother,
Fish,	McMullin,	J. Taylor,
Griffin,	McMillan,	Trice,
J. Hardin,	McWhorter,	Turner,
Haynie,	Moughon,	West,
Harrall,	Paris,	Whitworth,
Hardeman,	Phillips,	Williford,
Hawkins,	Pickett,	Young.

Those who voted in the negative are, Messrs.

E. B. Arnold,	Leverett,	Stephens,
Armstrong,	Maxwell,	L. S. Stewart,
Bostwick,	Manor,	Stokes,
Bridges,	McLean,	Thornton,
Brown, <sup>1</sup>	Moody,	W. A. Walton,
Champion,	Pottle,	Walker,
Gartrell,	Powers,	Wilson,
Grant,	Redding,	Woodward,
W. P. Harden,	Riley,	Yopp.
Harris,	W. R. Smith,	

So the bill passed under the title thereof.

On motion of Mr. Poole the rules of the House were sus-

pending, and the House took up the report of the Committee on the Bill to be entitled an act to lay out and organize a new county from the counties of Elbert and Franklin.

Mr. McDougald made the following report, to-wit:

By leave of the House, the sub-committee selected by the special committee on the deaf and dumb asylum, to visit the Institution, and report upon its condition, are Messrs. Haynie, Strother and Turner.

Mr. Irwin, from the committee on banks, made the following report, to-wit:

The committee on Banks, to whom was referred the bill to incorporate the City Bank, in the city of Augusta, ask leave to report, that they have had the same under consideration, and that a majority of the committee recommend its passage.

The House then proceeded to the consideration of the bill to lay out and organize a new county from the counties of Elbert and Franklin.

Mr. Stapleton moved to substitute the bill of the Senate, To be entitled an act to lay out and organise a new county from the counties of Franklin and Elbert, and to provide for the organization of the same, for the House bill; which motion was agreed to; and the bill from the Senate was read the third time, and passed under the title thereof.

On motion of Mr. Hardeman the rules of the House were suspended, and the following bill was taken up and read the second time, and ordered to be committed for a third reading:

A bill to be entitled an act to authorize the Governor to issue, or cause to be issued, to Mrs. Eliza J. Martin, or her assignee, a grant for lot No. 4, in square 44, of the city of Macon.

The following message was received from the Senate by Mr. Moore, their Secretary:

*Mr. Speaker*—The Senate has passed the following bills to-wit:

A bill to be entitled an act to abolish, change and establish new election precincts in the counties hereinafter named. Also,

A bill to be entitled an act to authorize and require the School Commissioners of certain counties therein named, to pay teachers who taught poor children of said counties in 1852, and failed to file their accounts within the time prescribed by law.

On motion, leave of absence was granted the committee on Internal Improvements, for the balance of the day.

On motion of Mr. Thornton, the rules of the House were suspended, and

Mr. McCurdy reported

A bill to be entitled an act to incorporate a Bank in the city of Dalton, to be called the Planters and Mechanics Bank of Dalton; which was read the first time.

The rules being suspended, the following bill was taken up, read the second time, and ordered to be committed for a third reading, to-wit:

A bill to be entitled an act to allow certain citizens of the State of Alabama to obtain letters testamentary, and for other purposes.

On motion of Mr. Thornton, the said bill was referred to the Judiciary Committee.

On motion of Mr. Walker the rules were generally suspended, and the following bill was taken up, read the second time, and ordered to be committed for a third reading, to-wit:

A bill to be entitled an act to incorporate Marshall College in the city of Griffin.

The following bill was read the second time, and ordered to be committed for a third reading, to-wit:

A bill to be entitled an act to repeal an act to make permanent the public site of the county of Lee, at Starksville, and for other purposes therein mentioned, approved December 26th, 1851, and to provide for a new county site, and for other purposes herein mentioned.

On motion, leave of absence was granted to Messrs. Masters, Stewart of Hancock, Stewart of Taylor, and Dawson, for a few days.

On motion of Mr. Trice, the House then proceeded with the call of the counties, and the following bills were introduced and read the first time, to-wit:

Mr. Hardeman reported

A bill to be entitled an act to alter and amend the 17th section of the 1st article of the constitution.

Mr. Hawkins reported

A bill to be entitled an act to exempt John Rowe of the county of Chattooga, from the acts of the General Assembly concerning pedlars, and to authorize him to engage in vending goods, wares and merchandize, without license.

Mr. Durden reported

A bill to be entitled an act to appropriate a sum of money to remove obstructions from the Big and Little Ochoopee rivers, and to render the same navigable, for the transportation of timber, rafts, lumber, wood and produce thereon, and for other purposes herein mentioned. Also,

A bill to be entitled an act to endow the Southern Botanic College, at Macon.

Mr. Latham reported

A bill to be entitled an act to authorize the Ordinary of Campbell county to pay over to Samuel H. Watson of said

county, forty-two dollars and seventy-five cents, for teaching poor children, in the year 1849.

Mr. Crawford reported

A bill to be entitled an act for the relief of Mary Ann Linston, wife of Charles J. Linston of Cass county.

Mr. Haynie reported

A bill to be entitled an act to incorporate the "Methodist Episcopal Church, South," at Cave Spring, and for other purposes. Also,

A bill to be entitled an act to incorporate the "Cave Spring Wesleyan Institute," and for other purposes.

Mr. Harrison reported

A bill to be entitled an act to repeal an act entitled an act to repeal the proviso of the 4th section of an act to alter and amend the road laws of this State, approved February 11th, 1850, and to provide for the collection of fines from defaulters, and for other purposes therein mentioned, so far as relates to the county of Chatham.

Mr. Phillips offered the following resolution, to-wit :

*Resolved*, That the committee on Internal Improvements be increased to twenty-one, and that the members be appointed by the Chair, taking them equally (as near as may be) from the several Judicial Circuits.

Which, on motion of Mr. Phillips, was taken up and adopted.

Mr. Haynie reported

A bill to be entitled an act requiring all entries upon executions to be copied upon the execution dockets of the courts from whence they issue within a given time, and to fix a penalty for the non performance, and for other purposes.

Mr. Phillips reported

A bill to be entitled an act to provide for the survey of the sixth district, Habersham county.

Mr. Cleveland of Habersham reported

A bill to be entitled an act to amend an act to incorporate the Habersham and Union Turnpike Company, and to grant certain privileges to the same, and for other purposes therein mentioned.

Mr. Alread reported

A bill to be entitled an act to permit James L Hobson, an indigent and cripple person of Cherokee county, to peddle without license.

Mr. Gartrell offered the following resolution, to wit :

*Resolved*, That no new matter be introduced into this branch of the General Assembly, unless concurred in by two-thirds of the members present, after Friday next.

Mr. Gartrell moved to suspend the rules, to take up said resolution; and

On the motion to take up the resolution of Mr. Gartrell,

the yeas and nays were required to be recorded, and are yeas 28, nays 54.

Those who voted in the affirmative are, Messrs.

E. B. Arnold,	Fields,	Phillips.
Armstrong.	Gartrell.	Powers,
Bostwick,	Headen,	Radford,
Bridges,	Hendrick,	Redding,
Champion,	Keith,	Rice,
Benj. Cleveland,	Masters,	W. R. Smith,
Clements,	Manor,	J. Stewart,
Cody,	McLean,	Strother,
Crittenden,	Moody,	
Fannin,	Moughon,	

Those who voted in the negative are, Messrs.

Adams,	Holland,	Riley,
Andrews,	Hudson,	Rowell,
Bell,	Irwin.	Rumph,
Brown,	Latham,	Shine,
Calloway,	Mays,	G. K. Smith,
W. C. Cleveland,	McCurdy,	Stapleton,
Crawford,	McDonald,	Staten,
Eberhart,	McDougald,	Stephens,
Fish,	McMullin,	J. Taylor,
Grant,	McWhorter,	Thornton,
Griffin,	Paris,	Trice,
Haynie	Pickett,	Turner,
Harris,	Poole,	W. A. Walton.
Harrall	Pottle,	Walker,
Hardeman,	Powell,	West.
Hawkins,	G. R. Reid,	Wilson,
Hardison,	M. Reid,	Woodward,
Hood.	Richardson,	Young,

So the motion to take up the resolution was lost.

Mr. Hood reported

A bill to be entitled an act to incorporate the town of Whitesville, in the county of Harris, and to provide for the election of Commissioners for the same.

Mr. Stapleton reported

A bill to be entitled an act to authorize the commissioners of the town of Louisville, to sell and dispose of such streets as they may think proper, and to make valid deeds of such streets as may have been sold by previous Boards of Commissioners.

Mr. Strother offered the following resolution, to wit :

*Resolved*, That when a bill or other matter is set down as the special order of the day, for a particular day, the rules of the House shall not be suspended, except by a vote of two-thirds.

Mr. Strother moved to suspend the rules, to take up the foregoing resolution; which motion was lost.

The following gentlemen were appointed by the chair, as additional members to the committee on internal improvements, to-wit: Messrs. Phillips, Green, Trice, Gartrell, Pottle, Turner and Riley.

On motion of Mr. Masters, Mr. Arnold was appointed speaker *pro tem*.

On motion of Mr. Richardson, the House adjourned until 3 o'clock, P. M.

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### THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

On motion of Mr. Walker, the rules of the House were suspended, and the House took up the report of the committee, on the bill to be entitled an act to incorporate the town of Holmesville, in the county of Appling, and to render the county site of said county permanent; which was read the third time, and passed.

On motion, a call of the House was made, and the following members answered to their names, to-wit: Messrs.

Adams,	Grant,	Keith,
Andrews,	Griffin,	Leverett,
E. B. Arnold,	Gross,	Maxwell,
Armstrong,	W. P. Harden,	Manor,
Bostwick,	J. Hardin,	Mays,
Bridges,	Haynie,	McDougald,
Brown,	Harris,	McGregor,
Champion,	Harrall,	McLean,
Benj. Cleveland,	Hardeman,	McMilan,
W. C. Cleveland,	Hays,	McMullin,
Clements,	Hardison,	McWhorter,
Cody,	Hamilton,	McCurdy,
Crawford,	Headen,	McDonald,
Denham,	Henderson,	Moody,
Durden,	Hendrick,	Moughon,
Eberhart,	Hood,	Pickett,
Fannin,	Holland,	Poole,
Fields,	Hudson,	Powers,
Fish,	Irwin,	Redding,

M. Reid,	J. C. Smith,	West,
Rice,	G. K. Smith,	H. L. Williams,
Richardson,	Wm. Smith,	Williford,
Riley,	Stephens,	Young,
R. A. Robinson,	J. Taylor,	Yopp,
Rumph,	W. A. Walton,	

Messrs. Alread, Bell and Rucker, were reported sick.

There appearing to be a quorum present, the House proceeded to business.

Mr. Young moved to suspend the rules, to take up for a second reading a Bill to be entitled an act to lay out and organize a new county out of the counties of Gilmer and Union.

Whereupon, the yeas and nays were required to be recorded, and are: yeas 42, nays 29.

Those who voted in the affirmative are, Messrs.

Adams,	Holland,	Powell,
Benj. Cleveland,	Hudson,	Rice,
Clements,	Keith,	Riley,
Crawford,	Leverett,	R. A. Robinson,
Denham,	Manor,	Rumph,
Fields,	McCurdy,	J. C. Smith,
Fish,	McDonald,	G. K. Smith,
Griffin,	McDougald,	W R. Smith,
Haynie,	McGregor,	W. Smith,
Hardeman,	McMillan,	J. Taylor,
Hardison,	Moughon,	West,
Hamilton,	Paris,	Whitworth,
Headen,	Pickett,	H. L. Williams.
Henderson,	Poole,	Young,

Those who voted in the negative are, Messrs.

Andrews,	W P. Harden,	Moody,
Armstrong,	James Hardin,	Redding,
Bostwick,	Harris,	M. Reid,
Brown,	Harrall,	Richardson,
Champion,	Hendrick,	Staten,
Cody,	Hood,	Stephens.
Durden,	Irwin,	W A. Walton,
Eberhart,	Mays,	Woodward,
Fannin,	McMullin,	Yopp.
Grant,	McWhorter,	

So the motion prevailed.

The bill was taken up, read a second time, and ordered to be committed for a third reading.



Mr. McMullin moved the suspension of the rules, to take up for a third reading a bill to be entitled an act to authorize and require the Tax Collector of the county of Macon, to pay over the State tax for the year 1853, to the Justices of the Inferior Court of said county, for the use thereof.

On motion of Mr. Riley, the rules of the House were suspended, and the following bill was taken up and read a second time, and ordered to be committed for a third reading, to-wit :

A bill to be entitled an act to alter and change the line between the counties of Union and Lumpkin, so far as to add to Lumpkin county the Militia District of Union county known as 995. sometimes called the Gaddiston District, and to make the line of said District, adjoining Union county, the dividing line between Union and Lumpkin counties.

The House then proceeded with the call of counties, and the following bills were introduced and read the first time, to-wit :

Mr. Turner reported

A bill to be entitled an act to legitimize Matilda Officer, the wife of Thomas M. Officer, and for other purposes therein mentioned.

Mr. Thornton reported

A bill to incorporate Chandler Lodge, No. 155, of Free and Accepted Masons, located at Jamestown, Muscogee county, Georgia.

Mr. Lamar reported

A bill to be entitled an act for the protection in certain cases of cotton sellers, within the State of Georgia

Mr. Lamar reported

A bill to be entitled an act to incorporate the Savannah and Florida Steamboat Company. Also,

A bill to be entitled an act to authorize a grant to issue to William T. Williamson, of the county of Baldwin, to lot of land No. 120, in the 2d district of the 4th Section, of the lottery of 1827. Also,

A bill to be entitled an act to compensate Peter Mason, of the county of Whitfield, for work and labor done on the Western and Atlantic Rail Road, and to point out the mode of payment, and for other purposes therein mentioned.

Mr. Gartrell reported

A bill to be entitled an act for the relief of Charles A. Dunwoody, of the county of Cobb, and to appropriate money in satisfaction of his demands upon the Penitentiary of the State of Georgia.

Mr. Lamar reported

A bill to be entitled an act to incorporate the Church Wardens and Vestry of the Protestant St. John's Free Chapel, in the city of Savannah.

Mr. Yopp reported

A bill to be entitled an act to authorize the Inferior Court of Laurens county, to levy an extra tax for pauper purposes.

Mr McDougald reported

A bill to be entitled an act in relation to the examination of parties, witnesses and all other persons in courts of law and equity, and for other purposes therein named. Also,

A bill to be entitled an act to allow parties in all suits at law or in equity, to use their adversaries and co-parties as witnesses, and for other purposes therein named. Also,

A bill to be entitled an act to lay out a new county from the counties of Monroe, Upson and Crawford, to be called King county, and for other purposes therein specified.

Mr. Harrall reported

A bill to be entitled an act for the relief of Matthew Grace and Thomas Thompson, of the county of Pulaski.

Mr. Mays reported

A bill to be entitled an act to incorporate Calhoun Academy, in the county of Gordon, and to appoint Trustees for the same.

Mr. Hendrick reported

A bill to be entitled an act to incorporate Andrew Female College; in Cuthbert.

Mr. Walton of Richmond reported

A bill to be entitled an act to incorporate the Christian Church of Augusta, in the county of Richmond.

Mr. Fannin reported

A bill to be entitled an act providing for the removal of free persons of color, and for other purposes. Also,

A bill to be entitled an act to change the Militia system of the State of Georgia.

Mr. Walker, from the Committee on Internal Improvements, reported the following bills back to the House, with instructions from said committee to refer them to the Committee on the Judiciary, to-wit :

A bill to define the liabilities of Rail Roads.

A bill to be entitled an act to define the liabilities of Rail Road Companies, in cases where passengers are killed or wounded, through the negligence or carelessness of their agents or employees, and to provide a remedy for the same, and for other purposes.

A bill to be entitled an act to define the liabilities of Rail Road Companies in this State.

Mr. Gartrell reported as duly enrolled, a bill to be entitled an Act to appropriate money from the Treasury, as a contingent fund, for the political years 1854 and 1855.

Mr. Pottle reported

A bill to be entitled an act to amend the several laws now of force, to protect religious societies in the exercise of their religious duties.

Mr. McDougald reported

A bill to be entitled an act to grant certain privileges to volunteer corps that served in the late war with Mexico.

On motion of Mr. Stapleton, the following names were added to the Committee on Finance, to-wit: Messrs. Redding, Irwin and Young.

Mr. Irwin reported

A bill to be entitled an act to alter and regulate the fees of the Ordinaries of this State. Also,

A bill to be entitled an act to define the lien of certain judgments obtained on the appeal.

On motion, the rules of the House were suspended, and the following bill was taken up, read the second time, and ordered to be committed for a third reading, to-wit:

A bill to be entitled an act to amend the several acts relating to the Court of Common Pleas and of Oyer and Terminer for the city of Savannah, and for other purposes.

The following bill of the Senate was taken up and read the first time, to-wit:

A bill to be entitled an act to abolish change and establish new election precincts in the counties hereinafter named.

On motion of Mr. Hardeman, the House adjourned until 9 o'clock to-morrow morning.

## SATURDAY, DECEMBER 3d, 1853.

The House met pursuant to adjournment.

The House proceeded with the call of members. The following members answered to their names, to-wit: Messrs.

Adams,	Hardison,	Paris,
E. B. Arnold,	Headen,	Pickett,
Armstrong,	Henderson,	Poole,
Bridges,	Hood,	Pottle,
Brown,	Holland,	Radford,
Champion,	Hudson,	Redding,
Benj. Cleveland,	Irwin,	M. Reid,
Clements,	Keith,	Rice,
Cody,	Leverett,	Richardson,
Crittenden,	Maxwell,	Riley,
Denham,	Manor,	R. A. Robinson,
Eberhart,	Mays,	Rumph,
Fish,	McCurdy,	Shewmake,
Garrell,	McDonald,	Shine,
Griffin,	McDougald,	G. K. Smith,
W. P. Harden,	McGregor,	W. R. Smith,
Haynie,	McLean,	W. Smith,
Harris,	McMullin,	Stapleton,
Harrall,	McMillan,	Staten,
Hardeman,	McWhorter,	Stephens,
Hays,	Moughon,	Stokes,

Strickland,  
J. Taylor,  
Trice,  
Turner,

W. A. Walton,  
West,  
Whitworth,  
Wilson,

Woodward,  
Young,  
Yopp.

There appearing to be a quorum present, the House proceeded to business.

On motion of Mr. McDougald, the absent members were excused.

On motion of Mr. Cleveland of Habersham, the rules were suspended, and the bill to be entitled an act to prevent the driving any horned cattle of the cow kind, from any of the districts or counties of South Carolina, or State of Alabama, or any county in this State, southeast or southwest of Habersham county; or from that part of said county of Habersham, which lies southeast of what is known as the Chattahoochee ridge, which runs through said county, or any other portion of the country, that may be affected with distemper, into the county of Habersham; and to prohibit the driving such cattle and oxen from said county to distempered places, and then driving the same cattle back to said county of Habersham, between the 15th day of April and 1st day of October in each year, was taken up, and referred to the Representatives from Lumpkin and Habersham.

On motion of Mr. McDougald, the rules of the House were suspended, and the House took up the report of the committee, on the bill to be entitled an act to amend the several acts relating to the Court of Common Pleas, and of Oyer and Terminr, for the city of Savannah, and for other purposes.

The report of the committee having been agreed to, the bill was read the third time and passed.

On motion of Mr. McDougald, the clerk was requested to communicate the same to the Senate immediately.

On motion of Mr. Phillips, the rules of the House were suspended, and the following bill, to wit :

A bill to be entitled an act to amend the act incorporating the Georgia Military Institute, and to appropriate money therefor, was taken up and referred to a select committee, consisting of Messrs. Phillips, Irwin Thornton, Lamar, Walker, Brown, Hardeman, Harrison, Hendrick, Gartrell, Latham, Alread, and Smith of Camden.

On motion of Mr. Thornton, the rules of the House were suspended, and the following bills were taken up, and referred to the Committee on Judiciary, to wit :

A bill to be entitled an act to alter the 1st Section of the 3d Article of the Constitution of the State of Georgia, so as to provide for the election of Judges of the Supreme Court by the people, instead of by the Legislature.

A bill to be entitled an act to make the decisions of the Supreme Court uniform.

A bill to be entitled an act to alter and amend the 1st Section of the 3d Article of the Constitution of this State.

Mr. Hardeman moved to suspend the rules, to allow him to introduce the following resolution, to wit :

*Resolved, That, in order to expedite the business of this branch of the Legislature, it shall require, from this time, a majority of two-thirds, to suspend the rules of the House.*

Mr. Hardeman moved to take up and adopt the foregoing resolution.

Whereupon the yeas and nays were required to be recorded, and are : yeas 65, nays 21.

Those who voted in the affirmative are, Mesrs.

Adams,	Hendrick,	Richardson,
Alread,	Hood,	Riley,
Andrews,	Hudson,	R. A. Robinson,
Bostwick,	Irwin,	Rowell,
Bridges,	Keith,	Shewmake,
Brown,	Leverett,	Shine,
Champion,	Maxwell,	W. R. Smith,
Cody,	Manor,	Staten,
Crawford,	Mays,	Stephens,
Denham,	McCurdy,	Stokes,
Dubignon,	McGregor,	Sweat,
Eberhart,	McLean,	J. Taylor,
Fannin,	McMullin,	Trice,
Fish,	McMillan,	Turner,
Grant,	McWhorter,	W. A. Walton,
W. P. Harden,	Moughon,	Whitworth.
James Hardin,	Phillips,	H. L. Williams,
Harrell,	Pickett,	Wilson,
Hardeman,	Pottle,	Williford,
Hawkins,	Redding,	Woodward,
Headen,	M. Reid,	Yopp.
Henderson,	Rice,	

Those who voted in the negative are, Messrs.

Benj. Cleveland,	Hardison,	G. K. Smith,
Crittenden,	Hamilton,	W Smith,
Dial,	McDonald,	Stapleton,
Gartrell,	McDougald,	Strickland,
Green,	Paris,	Thornton,
Griffin,	Powers,	West,
Harris,	Rumph,	Young,

So the resolution was adopted.

Mr. Thornton presented a communication to the House ; which was read as follows, to wit :

MILLEDGEVILLE, December 2d, 1853.

*To the Hon. Members of the House of Representatives :*

The Secretary of the State Teachers' Association, has been instructed to furnish your honorable body, a copy of the following resolution :

*Resolved,* That the thanks of the Teachers' Association, be most respectfully tendered to the Honorable Members of the House of Representatives, for the liberal offer of their Hall, for the evening meetings of said Association.

REV. T. B. SLADE, President.

B. MALLON, Secretary.

The House then resumed the unfinished business of yesterday, which was the passage of the bill to be entitled an act to alter, change and amend the 3d Section of the 1st Article of the Constitution of this State. by striking out the word "biennially," and inserting in lieu thereof, the word "annually."

Mr. Gartrell moved to recommit the bill, to allow him to offer a substitute.

Whereupon the yeas and nays were required to be recorded, and are : yeas 47, nays 43.

Those who voted in the affirmative are, Messrs.

Adams,	Harrall,	M. Reid,
Alread,	Hawkins,	Richardson,
Bridges,	Hardison,	Riley,
Benj. Cleveland,	Headen,	Rumph,
Clements,	Henderson,	Shewmake,
Cody,	Hood,	Staten,
Crittenden,	Hudson,	Stephens,
Eberhart,	Manor,	Stokes,
Fannin,	McCurdy,	Sweat,
Fields,	McDougald,	W. A. Walton,
Gartrell,	McGregor,	West,
Grant,	McLean,	Whitworth.
Green,	Phillips,	H. L. Williams;
Griffin,	Poole,	Woodward,
Haynie,	Radford,	Yopp.
Harris,	Redding,	

Those who voted in the negative are, Messrs.

Andrews,	Brown,	Crawford,
Armstrong,	Champion,	Dubignon,

Dial,	McDonald,	W R. Smith,
Fish,	McMullin,	Wm. Smith,
W. P. Harden,	McWhorter,	Stapleton,
J. Hardin,	Moughon,	Strickland,
Hardeman,	Paris,	J. Taylor,
Hamilton,	Pickett,	Thornton,
Hendrick,	Pottle,	Trice.
Irwin,	Rice,	Turner,
Keith,	R. A. Robinson,	Wilson,
Leverett,	Rowell,	Williford,
Maxwell,	Shine,	Young,
Mays,	J. C. Smith	
McComb,	G. K. Smith,	

So the motion prevailed.

The following message was received from the Senate, by their Secretary, Mr. Moore, to wit :

*Mr. Speaker*—The Senate has passed the following bills, to wit :

A bill to be entitled an act to organize and lay out a new county from the county of Baker, and to attach the same to a judicial, congressional and military district. Also,

A bill to be entitled an act to authorize three Justices of the Inferior Court, or Justices of the Peace, to hold land courts. Also,

A bill to be entitled an act to add one additional section to the 14th division of the Penal Code of this State. Also,

A bill to be entitled an act to make guardians, administrators, by virtue of their office. Also,

A bill to be entitled an act to compensate Grand and Petit Jurors of Pike, Murray and other counties, and the Petit Jurors of certain counties, and an act amendatory of other acts; for the payment of Grand and Petit Jurors of certain counties therein named. Also,

The following bills of the House of Representatives, to wit :

A bill to be entitled an act to lay out and organize a new county from the counties of Walker and Whitfield, and to add a portion of Walker to Whitfield, and to organize said new county. Also,

A bill to be entitled an act to lay out and organize a new county from the counties of Cherokee and Gilmer, and for other purposes therein specified.

The House went into Committee of the Whole, on the bill to be entitled an act to change, alter and amend the 3rd Section of the 1st Article of the Constitution of this State, by striking out the word "biennially," and inserting in lieu thereof; the word "annually."

The committee arose, and Mr. Arnold reported the bill

back to the House, without amendment. The report of the committee was agreed to, and upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded, and are : yeas 34, nays 56.

Those who voted in the affirmative are, Messrs.

Andrews,	McCurdy,	G. K. Smith,
Bridges,	McDonald,	W Smith,
Crittenden,	McDougald,	Stapleton,
Denham,	Moughon,	Sweat,
Dial,	Powell,	J, Taylor,
Green,	Rice,	Thornton,
Griffin,	Richardson,	West,
Harris,	R. A. Robinson,	Wilson,
Hendrick,	Rowell,	Woodward,
Hood,	Rumph,	Young,
Lamar,	Shine,	
McComb,	J. C. Smith,	

Those who voted in the negative are, Messrs.

Adams,	Hardeman,	Poole,
Alread,	Hardison,	Radford,
Armstrong;	Headen,	Redding,
Bostwick,	Henderson,	M. Read,
Champion,	Holland,	Riley,
Benj. Cleveland,	Hudson,	Shewmake,
Clements,	Irwin,	Staten,
Cody,	Leverett,	Stephens,
Crawford,	Maxwell,	Stokes,
Eberhart,	Manor,	Strickland,
Fields,	Mays,	Trice,
Fish,	McGregor,	Turner,
Gartrell,	McLean,	W. A. Walton,
Grant,	McMullin,	Wall er,
W. P. Harden,	McWhorter.	Whitworth,
J. Harden,	Paris,	H. L. Williams,
Haynie,	Phillips,	Williford,
Harrel,	Pickett,	Yopp.
Hawkins,	Pottle,	

So the bill was lost.

The following message was received from the Senate, through Mr. Moore, their Secretary, to wit :

*Mr. Speaker*—I am instructed by the Senate to transmit forthwith to the House of Representatives, a bill this day passed by the Senate, entitled an act to incorporate the



Greensboro Female College, in the county of Greene, and appoint Trustees for the same; and to authorize the Trustees of Greensboro Female Academy, to convey by deed the Academy lot in the town of Greensboro.

On motion of Mr. Phillips, the rules of the House were suspended, and the House took up the report of the committee on the bill to be entitled an act to incorporate Marshall College, in the city of Griffin.

The report was agreed to. The bill was read the third time and passed.

On motion of Mr. Crittenden, the clerk was directed to communicate the said bill to the Senate immediately.

Mr. McDougald made a report favorable to the passage of the bill to be entitled an act to allow certain citizens of the State of Alabama, to obtain letters testamentary, and for other purposes.

The House took up the report of the committee on said bill, and the same was read the third time and passed.

On motion, the rules of the House were suspended, and Mr. Phillips from the Committee on Finance, reported the following bill; which was read the first time, to wit:

A bill to be entitled an act to wind up the affairs of the Central Bank, and for other purposes.

The House took up the report of the committee on the bill to be entitled an act to incorporate Trenton Lodge, No. 179, of Free and Accepted Masons.

The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to require Clerks, Sheriffs and Ordinaries, to record certain advertisements therein named.

On motion of Mr. Pottle, said bill was recommitted and referred to the Committee on the Judiciary.

On motion of Mr. Turner, the bill to be entitled an act to abolish imprisonment for debt, was referred to the Committee on the Judiciary, and one hundred and fifty copies of the same were ordered to be printed for the use of the House.

The House took up the report of the committee on the bill to be entitled an act to authorize Warren Freeman of the county of Bibb, to practice on the Homœopathic system, and to charge compensation for the same.

Mr. Phillips moved to refer said bill, and all other bills authorizing individuals to practice medicine, to a Select Committee; which was lost.

Mr. Pottle moved to amend by adding the following proviso, to wit: *Provided*, that the said Warren Freeman shall undergo an examination before the board of Physicians, and receive a license from them according to law, now in force: which proviso was lost.

Mr. Walton of Richmond, moved that the bill be recom-

mitted, to allow him to offer an amendment ; which was lost.

And upon the question, " Shall this bill now pass ? " the yeas and nays were required to be recorded ; and pending the discussion on the call of the yeas and nays—on motion, the House adjourned until 10 o'clock Monday morning.

### MONDAY, DECEMBER 5th, 1853.

The House met pursuant to adjournment.

Mr. Gartrell moved to reconsider so much of the journal of yesterday, as relates to the adoption of the resolution requiring a vote of two-thirds before the rules of the House can be suspended.

Whereupon, the yeas and nays were required to be recorded, and are : yeas 14, nays 64.

Those who voted in the affirmative are, Messrs.

Gartrell,	Riley,	West,
McDonald,	G. K. Smith,	Whitworth.
McDougald,	W. Smith,	Woodward,
McWhorter,	Stapleton,	Young.
Paris,	Thornton,	

Those who voted in the negative are, Messrs.

Adams,	Harrall,	McMillan,
Alread,	Hardeman,	Pickett,
Armstrong,	Hawkins,	Poole,
Bell,	Hardison,	Pottle,
Bostwick,	Hamilton,	Powers,
Bridges,	Headen,	Radford,
Brown,	Hood,	Redding,
Champion,	Holland,	M. Reid,
Benj. Cleveland,	Hudson,	Rice,
Cody,	Irwin,	Richardson,
Crawford,	Keith,	N. Robinson,
Eberhart,	Leverett,	Rumph,
Fields,	Maxwell,	Shewmake,
Fish,	Manor,	J. C. Smith,
Grant,	Mays,	W. R. Smith.
Griffin,	McCurdy,	Staten,
W. P. Hardin,	McGregor,	Stephens,
James Hardin,	McLean,	Stokes,
Harris,	McMullin,	Strickland,

J. Taylor,	W. A. Walton,	Yopp.
Trice,	H. L. Williams,	
Turner,	Wilson,	

So the motion to reconsider was lost.

On motion, leave of absence for a few days was granted to Messrs. Denham, Andrews and Walker.

On motion of Mr. McDougald, so much of the journal of Saturday, as relates to the rejection of the bill to change the Constitution of this State, so as to allow annual instead of biennial sessions of the Legislature, was reconsidered.

The House then resumed the unfinished business of Saturday, which was the call of the yeas and nays upon the passage of the bill to be entitled an act to authorize Warren Freeman, of the county of Bibb, to practice on the homœopathic system and to charge compensation for his services; and the yeas and nays having been recorded, are: yeas 59, nays 21.

Those who voted in the affirmative are, Messrs.

Alread,	Henderson,	R. A. Robinson,
Armstrong,	Holland,	N. Robinson,
Bostwick,	Hudson,	Shewmake,
Brown,	Irwin,	G. K. Smith,
Champion,	Keith,	W. R. Smith,
Cody,	Manor,	W. Smith,
Dial,	Mays,	Stapleton,
Eberhart,	McComb,	Staten,
Fannin,	McCurdy,	Stephens,
Fields,	McGregor,	Stokes.
Fish,	McLean,	Strickland,
Grant,	McMullin,	J. Taylor,
Griffin,	Paris,	Thornton,
W. P. Harden,	Pickett,	W. A. Walton,
Harrall,	Poole,	Whitworth,
Hardeman,	Powers,	H. L. Williams,
Hawkins,	Radford,	Wilson,
Hardison,	Redding,	Woodward,
Hamilton,	M. Reid,	Yopp.
Headen,	Richardson,	

Those who voted in the negative are, Messrs.

Adams,	Crawford,	Leverett,
Bell,	Harris,	McDonald,
Bridges,	Hatton,	McWhorter,
Benj. Cleveland,	Hood,	Phillips,

Pottle,  
Powell,  
Riley,

Rumph,  
J. C. Smith,  
Turner,

West,  
Williford,  
Young,

So the bill was passed under the title thereof.

The following message was received from the Senate, by Mr. Moore, their Secretary, to wit :

*Mr. Speaker*—The Senate has passed the following bills, to wit :

A bill to be entitled an act to extend the corporate limits of the town of Carrollton, in Carroll county. Also,

A bill to add an additional Section to the 10th Division of the Penal Code of this State. Also,

A bill to be entitled an act to define the duties of County Treasurer of the several counties of this State. Also,

A bill to dispose of the ungranted lots of land in the Cherokee purchase and elsewhere. Also,

A bill to be entitled an act to incorporate the Cassville Female College, located in the town of Cassville, Georgia, and to incorporate the Cherokee Baptist College, located in the same town, and to confer on the commissioners of the town of Cassville, the power to grant licenses to retail ardent spirits, and for other purposes therein named. Also,

A bill to be entitled an act transferring from the Executive Committee of the Georgia Baptist Convention, to the commissioners herein named and their successors in office, the Female Academy and teachers' house, in Penfield, with the lots and all the appurtenances thereto belonging. Also,

A bill to repeal so much of the charter of the University of Georgia, as requires an oath or oaths to be taken by the officers thereof, within three months of their entering on the discharge of their duties, and to alter and fix the time of the meeting of the *Senatus Academicus*. Also,

A bill to be entitled an act to confer certain rights upon the Ordinary and School Commissioners of Emanuel county, and to authorize the adjournment of the Court of Ordinary.

On motion of Mr. Thornton, one hundred and fifty copies of the report of the Committee on Finance, were ordered to be printed for the use of the House.

Mr. Gartrell reported as duly enrolled, a bill to be entitled an act to lay out and organize a new county from the counties of Cherokee and Gilmer, and for other purposes therein specified.

The House proceeded with the call of the counties, and the following bills were introduced and read the first time, to wit :

Mr. Andrews reported

A bill to be entitled an act to incorporate the Monticello

and Griffin Rail Road Company, and for other purposes therein named.

Mr. Hawkins reported

A bill to be entitled an act to incorporate Summerville Lodge, No. 109, of Free and Accepted Masons, of the county of Chattooga.

Mr. Shewmake reported

A bill to be entitled an act to incorporate Franklin Academy, in the county of Burke, and appoint trustees for the same, and for other purposes herein mentioned. Also,

A bill to be entitled an act for the keeping in repair the public roads of Burke county.

Mr. Harden reported

A bill to repeal an act of 1852, relative to drawing Grand and Petit Jurors of Clark county, &c.

Mr. Dubignon reported

A bill to be entitled an act to authorize Francis Ponsell, an infirm cripple man, of the county of Glynn, as an itinerant trader, to vend any goods, wares or merchandize within the 1st Congressional District, without obtaining license for the same.

Mr. Stokes reported

A bill to be entitled an act to authorize the Ordinary of Heard county, to pay Laura A. Albright, teacher of poor children in said county, in the year 1852. Also,

A bill to incorporate the Franklin Bridge Company, and for other purposes therein specified.

Mr. Hardeman reported

A bill to be entitled an act to endow the "Mechanics Society," of the City of Macon.

Mr. McMullin reported

A bill to be entitled an act to incorporate the town of Montezuma, in the county of Macon, and to appoint Commissioners for the same.

Mr. Brown reported

A bill to be entitled an act to alter and amend an act to authorize and empower executors and administrators to make titles of land in certain cases, approved February 15th, 1799, and for other purposes therein contained.

Mr. Redding reported

A bill to be entitled an act to authorize all physicians within the State of Georgia, having received a diploma from any Medical College in the United States, to practice physic, and charge for the same without license.

Mr. McDougald reported

A bill to be entitled an act to reduce the taxes imposed upon persons and property of this State, by an act entitled an act to levy and collect a tax for each of the political years 1852 and 1853, and thereafter, until repealed, approved January 9th, 1852, and also by an act entitled an act, sup-

plementary to said recited act, approved January 21st, 1852, one-third, and to exempt from taxation the amount of each tax payer's indebtedness for any property he may have bought, and to which he has no legal title. Also,

A bill to be entitled an act to change and simplify the practice and pleadings in the Courts of this State, and for other purposes therein named.

Mr. Stapleton from the Committee on Enrolment, reported as duly enrolled; the bill to be entitled an act to lay out and organize a new county from the counties of Walker and Whitfield, and to add a part of Whitfield to the county of Walker.

Mr. Thornton reported

A bill to be entitled an act to alter and amend the Consent Rule in executions of Ejectments, as now used in this State.

Mr. Trice reported

A bill to be entitled an act to change the 2d Section of the 10th Division of the Penal Code of this State,

Mr. Grant reported

A bill to be entitled an act to authorize the Ordinary of the county of Upson, to pay over to certain teachers of poor children, the amount of their several claims on said county, for the year 1852.

Mr. Young reported

A bill to be entitled an act to establish a general system of education in this State, and for other purposes. Also,

A bill to be entitled an act to appropriate money for the completion of the Cooper's Gap Road, across the Blue Ridge, in the counties of Lumpkin and Union, and to appoint Commissioners for the same, and for other purposes therein mentioned. Also,

A bill to authorize John B. Chastain, of the county of Union, to plead and practice law.

The following message was received from his Excellency the Governor, by Mr. Briscoe, his Secretary :

*Mr. Speaker*—The Governor has approved and signed an act to appropriate money from the Treasury, as a contingent fund for the political years 1854 and 1855.

Mr. Pottle reported

A bill to be entitled an act to provide a new oath, in lieu of the one now in force, under the act entitled an act to admit Grand Jurors to give evidence, approved December 10th, 1812. Also,

A bill to be entitled an act to alter and amend Section 43 of the Judiciary Act of 1799, so far as it relates to the summoning of Grand Juries. Also,

A bill to be entitled an act to alter and amend and explain Section 4th of an act entitled an act for the prevention of frauds and perjuries, of force in this State.

Mr. Pickett reported

A bill to be entitled an act to incorporate the Baptist Church, in the town of Elijah, in the county of Gilmer; Town Creek Church, Talking Rock Church, Ebenezer, Macedonia, Mountain Town, Pleasant Hill, Newhope, Zion Hill, Sugar Creek, Lebanon. Union, Mount Moriah, Bethel, Mount Zion, and China Log, in the county of Gilmer, and appoint trustees for the same.

The House took up the report of the Committee, upon the bill to be entitled an act to authorize the Mayor and Council of Macon, to lease a portion of the City common, known as "Napier's old field."

The report of the Committee was taken up, the bill was read a third time, and passed.

The House took up the report of the Committee, on the bill to be entitled an act to authorize masters of slaves and free persons of color, to give bail for their appearance at Court; which, upon motion of Mr. Irwin, was referred to the Judiciary Committee.

The House took up the report of the Committee on the bill to be entitled an act for the relief of Jacob Martin, of Forsyth county.

The report of the Committee was agreed to, and the bill was read the third time and passed, under the title thereof.

The House took up the report of the Committee, on a bill to prevent the felling of timber in, or otherwise obstructing Boardtown Creek, in the county of Gilmer, and to punish offenders for the same.

The report of the Committee was agreed to, and the bill was read the third time and passed, under the title thereof.

The House took up the report on the bill to be entitled an act to prevent the driving of cattle from distempered counties, into the county of Gilmer.

The report of the committee was agreed to; and upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded, and are: yeas 27, nays 48.

Those who voted in the affirmative are, Messrs,

Adams,	Hardeman,	R. A. Robinson,
Alread,	Hawkins,	G. K. Smith,
Bridges,	Hendrick,	Stokes,
Benj. Cleveland,	Lamar,	Strickland,
Crittenden,	McDonald,	Turner,
Eberhart,	McDougald,	Whitworth,
Fields,	Paris,	H. L. Williams,
Griffin,	Pickett,	Wilson,
W. P. Harden,	Redding,	Young,

Those who voted in the negative are, Messrs.

Armstrong,	Hudson,	M. Reid,
Bostwick,	Irwin,	Richardson,
Champion,	Keith,	N. Robinson,
Dial,	Maxwell,	Shewmake,
Fannin,	Manor,	W. R. Smith,
Fish,	Mays,	W. Smith,
Gartrell,	McComb,	Stapleton,
Grant,	McCurdy,	Staten,
James Hardin,	McLean,	Stephens,
Harris,	McMullin,	J. Taylor,
Harrell,	McWhorter,	Thornton,
Hatton,	Poole,	W. A. Walton,
Hardison,	Pottle,	West.
Headen,	Powell,	Williford,
Hood,	Powers,	Woodward,
Holland,	Radford,	Yopp.

So the bill was lost.

On motion of Mr. Shewmake, the House adjourned to 3 o'clock, P. M.

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### THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

The following bill was taken up, read a second time, and upon motion of Mr. Hardeman, the same was referred to the Committee on Banks, to wit:

A bill to be entitled an act to incorporate the Merchants and Planters Bank.

The following bills were taken up, read a second time, and ordered to be committed for a third reading, to wit:

A bill to be entitled an act to amend an act to prevent controversies concerning the boundaries of lands in this State.

A bill to be entitled an act to retain the taxes for the year 1854, for the purpose of building a jail in the county of Montgomery.

A bill to be entitled an act to authorize the Tax Collector of the county of Cobb, for the year 1854, to pay over to the Justices of the Inferior Court, the amount of State taxes, and for other purposes therein mentioned.

A bill to be entitled an act to authorize James C. Mulkey, to practice medicine and charge for the same.



A bill to be entitled an act to grant to tanners and copper-smiths the lien or incumbrance now enjoyed in this State, under the laws thereof, by masons and carpenters, on houses and the premises to which they may be attached.

A bill to be entitled an act to remove the Penitentiary of this State from the place where it is now located, to Atlanta, in DeKalb county.

A bill to be entitled an Act to incorporate the Methodist Protestant Church, at Sylvania, in Scriven county, and appoint Trustees for the same.

A bill to be entitled an act to amend an act to make uniform a standard of weights and measures in this State.

A bill to be entitled an act to incorporate the town of Dallas, in the county of Paulding, and for other purposes therein named.

The following bill was taken up, read a second time, and upon motion of Mr. Smith of DeKalb, referred to the Committee on the Judiciary, to wit :

A bill to be entitled an act to amend Section 2d of an act entitled an act to repeal the 43th Section, 14th Division of the penal code, in so far as relates to capital cases, and add a new Section in lieu thereof, assented to December 23d, 1843.

The following bills were taken up, read the second time, and ordered to be committed for a third reading, to wit :

A bill to be entitled an act to repeal so much of the 17th Section of an act entitled an act in reference to the government of the Ordinaries of this State, so far as relates to the recording of vouchers of Executors, Administrators and Guardians, so far as relates to the county of Burke.

A bill to be entitled an act to compensate the Grand and Petit Jurors of the county of Wilkinson, and to provide for the payment of the same.

A bill to be entitled an act to repeal an act entitled an act to provide for the compensation of Grand and Petit Jurors of the Superior and Inferior Courts of the county of Elbert, and to repeal all former laws, approved December 14th, 1849; and to revive an act entitled an act to compensate the Grand and Petit Jurors of the Superior and Inferior Courts of the county of Elbert, and to provide for the payment of the same; and to repeal all previous acts upon that subject, so far as relates to the county of Elbert, approved December 8th, 1841.

A bill to be entitled an act to compel all persons, owning any land in this State, to give in to the Receiver of Tax Returns the Section, Number and District, where the land lies, and to punish all persons for failing to do so.

A bill to be entitled an act to appropriate money, for the purpose of repairing the State House, and making improve-

ments about the grounds thereof, and, also, for repairs of the Executive mansion.

The following bill was taken up, read a second time, and upon motion of Mr. Pottle, was ordered to be referred to the Committee on Petitions, to wit :

A bill to be entitled an act for the relief of William Crowell and Wm. C. Russeau, of the county of DeKalb.

The following bill was taken up, read the second time, and under the rule, referred to the Committee on Internal Improvements, to wit :

A bill to authorize the Governor to appropriate money, to aid in the construction of the Lumpkin and Forsyth Rail Road.

The following message was received from his Excellency the Governor, through Mr. DeGraffenreid, his Secretary :

*Mr. Speaker*—The Governor has signed and approved an act, to lay out and organize a new county from the counties of Cherokee and Gilmer, and an act to lay out and form a new county out of the counties of Walker and Whitfield, and to add a portion of Walker to Whitfield, and to organize said new county ; which acts were deposited in the office of the Secretary of State.

The following bill was taken up, read a second time, and upon motion of Mr. Phillips, was ordered to be referred to the Committee on Finance, to wit :

A bill to be entitled an act to refund certain moneys to the county of Cobb.

The following bills were taken up, read a second time, and ordered to be committed for a third reading, to wit :

A bill to be entitled an act to amend the Militia Laws of this State, so as to facilitate the collection of fines assessed by Courts of Inquiry, and for other purposes.

A bill to be entitled an act to amend the 6th Section of the 3d Article of an act entitled an Act to appropriate money, to improve the navigation of the Altamaha, Ocmulgee and Oconee rivers, and appoint Commissioners for the same, approved January 19th, 1852, so far as to change the names of Commissioners, and for other purposes therein mentioned.

A bill to be entitled an act, for the relief of Elizabeth J. Stafford, &c.

A bill to be entitled an act to alter and amend an act entitled an act to exempt from levy and sale under execution, certain property therein named, assented to December 11th, 1841.

A bill to be entitled an act, for the right to open and keep open Big Creek and Bluff Creek, in the county of Pulaski.

A bill to be entitled an act to repeal an act to extend the

civil jurisdiction of the Justices of the Peace for the city of Savannah, and for other purposes.

A bill to be entitled an act to amend an act, for the better protection and security of orphans and their estates, approved February 18th, 1799, by extending the provisions of the 5th section thereof to Trustees and their estates.

A bill to be entitled an act to authorize Dr. Thomas W. Leek, of the village of Cave Springs, and county of Floyd, to practice medicine, and charge for and collect the same.

A bill to be entitled an act; to appropriate money for the purposes therein designated.

The following bill was taken up, read, a second time, and upon motion of Mr. Phillips, was referred to the Committee on Finance, to wit:

A bill to be entitled an act to appropriate money to pay Captain Samuel Patterson's Company of Union Mounted Volunteers, and for other purposes therein mentioned.

The following bills were taken up, read the second time, and ordered to be committed for a third reading, to wit:

A bill to be entitled an act to authorize the Commissioners of the Poor School Fund, of Macon county, to pay money for teaching children entitled to the benefit of the Poor School Fund, to Phillip H. Dessau.

A bill to be entitled an act to amend an act to appoint certain Commissioners for Savannah river; approved February 23d, 1850.

A bill to be entitled an act for the relief of John Usry, of the county of Warren, and to appropriate to him a certain sum of money therein specified.

A bill to be entitled an act for the relief of William Crew, of the county of Muscogee, and to appropriate to him a certain sum of money therein specified.

A bill to be entitled an act to authorize Reuben Martin, an infirm man, in the county of Bulloch, as an itinerant trader, to vend any goods, wares or merchandize, within the 1st Congressional District, without obtaining license for the same.

A bill to be entitled an act to authorize the Ordinary of Campbell county, to pay over to William E. Hoskins, and Rockwood Cuning, a certain sum of money therein named.

A bill to be entitled an act to authorize and require the Treasurer of the Poor School Fund, in the county of Muscogee, to pay, before any other claims, over to R. H. Calhoun, William H. Grave, John P. Hodge, and Miss Susannah Wallis, and to each and every other teacher of poor children in said county, for the years 1851 and 1852, out of the Poor School Fund thereof, the full amount of their accounts, and all arrearages due them, for teaching poor children in said years, out of any funds in hand, or out of the

first that may hereafter be received, and for other purposes therein named.

A bill to be entitled an act to authorize the Tax Collector of Campbell county, to pay over to the Justices of the Inferior Court of said county, the tax for the years 1854 and 1855, to be applied by them to the erection of a bridge across Chattahoochee river, at Campbellton, Georgia. Also,

A bill to alter and amend a part of the 5th Section of an act entitled an act to incorporate the Ogeechee Plank Road Company, and for other purposes therein named. Also,

A bill for the relief of Leroy W Cooper, of the county of Spaulding.

A bill to be entitled an act to appropriate money to the counties herein named, for Academic purposes. Also,

A bill to be entitled an act to incorporate Cassville Lodge, No. 7, Knights of Jericho, located at Cassville, Georgia.

A bill to be entitled an act for the gradual removal and permanent location of the Penitentiary of this State, and appropriate money for the same.

A bill to be entitled an act to authorize Mark Rigel, of the county of Randolph, an infirm and cripple man, to dispose of dry goods and fancy articles in the counties of Lee and Randolph, without license, for his own benefit.

A bill to be entitled an Act to reduce the fees of the several Tax Collectors, hereafter to be elected for the county of Liberty, and for other purposes herein named.

A bill to be entitled an act to repeal an act to alter and straighten the line between the counties of Jasper and Newton, so as to include the premises of certain persons therein named. in the county of Newton—to alter the line between the counties of Gordon and Floyd, and the line between the counties of Wilkes and Lincoln, and the line between the counties of Polk and Paulding, passed January 22d, 1852, so far as the same relates to the counties of Wilkes and Lincoln.

A bill to be entitled an act to incorporate the Georgia Mining Company, and to grant certain powers and privileges to the same.

The following bills were taken up, and read the second time, and on motion of Mr. Cleveland, of Habersham, it was referred to the Judiciary Committee, to wit :

A bill to be entitled an act to create the office of Attorney General of the State, provide for the election of an officer to fill the same, prescribe the duties thereof, and fix the salary of said officer, and for other purposes therein named.

A bill to be entitled an act to prohibit the introduction of negro testimony, the saying and confession of any negro, bond or free, on the trial of any indictment against any free white citizen—or on the trial of any case at law, or in equity,

before any court or tribunal in this State, for or against any free white citizen, in any case, or under any pretence whatever, and for other purposes therein named.

The House took up the following bill; which was read, and upon motion of Mr. Phillips, was the second time referred to the Committee on New Counties, to wit:

A bill to organize a new county out of the counties of Scriven and Burke, and for other purposes therein mentioned.

The following bills were taken up, read a second time, and ordered to be committed for a third reading, to wit:

A bill to be entitled an act for the relief of Richard Myrick, of Pike county.

A bill to be entitled an act to incorporate the Gum Log Mining Company, and grant certain privileges to the same.

A bill to be entitled an act to compel the Clerks of the Superior and Inferior Courts of Appling county, to keep their offices at Holmesville, the county site.

The House took up the following bill, and on motion of Mr. Thornton, it was referred to the Committee on Internal Improvements, to wit:

A bill to be entitled an act to incorporate a company, to be called the Western and Atlantic Rail Road Company, and to lease and let to the said Company, the Western and Atlantic Rail Road, for the term of twenty years.

On motion of Mr. Shewmake, the House then adjourned until 10 o'clock, to-morrow morning.

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## TUESDAY, DECEMBER 6th, 1853.

The House met pursuant to adjournment.

Upon motion of Mr. Pickett, the House reconsidered so much of the Journal of yesterday as relates to the rejection of the Bill to be entitled an act to prevent the driving of cattle from distempered counties, into the county of Gilmer.

On motion of Mr. Cleveland of Habersham, the rules of the House were suspended for the purpose of allowing him to introduce the following:

A bill to be entitled an act to add that part of the 4th district of Habersham, which lies in said county, to the county of Lumpkin; which was read the first time.

Mr. McCurdy moved to suspend the rules, generally, to allow members to introduce bills: which motion was lost.

On motion of Mr. Young, the rules of the House were suspended, and the House took up the report of the committee on the bill to be entitled an act for the pardon of Elijah Bird of DeKalb county, now under sentence of death for the crime of murder.

Mr. Phillips called for the previous question, which was sustained by the House; and on the question, "Shall the main question now be put?" the same was decided in the affirmative. And on the question, "Shall this bill now pass?" the yeas and nays were required to be recorded, and are yeas 50, nays 42.

Those who voted in the affirmative are, Messrs.

Adams,	Hatton,	Powell,
Armstrong,	Hawkins,	Radiord,
Bell,	Hamilton,	Richardson,
Bridges,	Hendrick,	R. A. Robinson,
Brown,	Lamar,	N. Robinson,
Calloway,	Mays,	Rumph,
Champion,	McComb,	Shewmake,
Benj. Cleveland,	McCurdy,	L. S. Stewart,
Crawford,	McDonald,	J. Stewart,
Crittenden,	McDougald,	Sweat,
Dial,	McGregor,	J. Taylor,
Eberhart,	McMullin,	Thornton,
Fish,	McMillan,	Turner,
Gartrell,	McWhorter,	West,
Grant,	Moughon,	Woodward,
Griffin,	Phillips,	Young.
Harris,	Poole,	

Those who voted in the negative are, Messrs.

Alread,	Irwin,	W. R. Smith,
Bostwick,	Keith,	W. Smith,
Cody,	Leverett,	Stapleton,
Fannin,	Maxwell,	Stephens,
Fields,	Manor,	Stokes,
Green,	McLean,	Strickland,
W. P. Harden,	Nichols,	Trice,
Harrall,	Pottle,	W. A. Walton,
Hardeman,	Powers,	J. H. Walton,
Hardison,	Redding,	Whitworth.
Headen,	M. Reid,	H. L. Williams,
Henderson,	Rice,	A. J. Williams,
Hood,	Riley,	Williford,
Hudson,	G. K. Smith,	Yopp.

So the bill was read the third time, and passed under the title thereof.

The following message was received from the Senate through Mr. Moore, their Secretary, to wit :

*Mr. Speaker*—The Senate has passed the following bills, to wit :

A bill to be entitled an act to incorporate the town of Roswell, in the county of Cobb ; to provide for the election of an Intendant and Board of Commissioners for the same, and to confer upon them specified powers, and for other purposes therein mentioned. Also,

A bill to make permanent the site of public buildings in Polk county, at Cedar Town, in said county, and to incorporate the same, and for other purposes. Also,

A bill to authorize the Mayor and Council of the City of Macon, to lease certain land therein named, &c. Also,

A bill to authorize the testimony of Physicians to be taken in certain cases, by interrogatories. Also,

A bill to be entitled an act for the relief of the Stockholders in Ruckersville Banking Company. Also,

A bill to render valid all records made by Charles M. Pratt, as Clerk of the Superior Court of Camden county.—Also,

A bill to amend the act to incorporate the Milledgeville Turnpike and Rail Road Company, and to grant certain privileges to the same, passed December 24th, 1840, and the acts amendatory thereof. Also,

A bill to incorporate the Irwinton Free Church, and to appoint Trustees for the same, and for other purposes therein mentioned. Also,

A bill to incorporate the Stockholders of the Madison Rail Road Company. Also,

A bill to re-enact and declare in full force all statutes relating to the incorporation of the town of Monroe, in Walton county, and to extend its corporate limits.

On motion of Mr. Lamar, the rules of the House were suspended, and the following resolution was taken up, read and agreed to :

*Resolved.* That the Committees on the Census and New Counties, be consolidated for the purpose of reporting to the Senate, the representation that counties, out of which new counties have been created, or which may be created by the present General Assembly, will be entitled to in the apportionment to be made at the present session.

Mr. Calloway moved to suspend the rules of the House, for the purpose of introducing a bill ; which motion was lost.

The House then proceeded to the regular order of business, which was the reading of bills the third time.

The House took up the report of the committee on the bill to be entitled an act to repeal an act passed the 9th January, 1852, entitled an act to levy and collect a tax for each of the political years 1852 and 1853, and thereafter till repealed, and to repeal an act supplementary to said act, ap-

proved 21st January, 1852, and to revive and continue in force an act passed 22nd February, 1850, entitled an act to levy and collect a tax for each of the political years 1850 and 1851, and thereafter.

Mr. Cleveland of Habersham, moved to refer the said bill to the Finance Committee. Upon which motion the yeas and nays were required to be recorded, and are : yeas 42, nays 42.

Those who voted in the affirmative are, Messrs.

Armstrong,	Hudson,	Shewmake,
Bostwick,	Irwin,	J. C. Smith,
Brown.	Maxwell,	G. K. Smith,
Cody,	McComb,	W. R. Smith.
Crittenden,	McCurdy,	W Smith,
Fannin.	McDonald,	Stapleton,
Grant,	McMullin,	Stephens,
Green,	McWhorter,	L. S. Stewart,
W P. Harden,	Moughon,	J. Taylor,
Hardeman,	Nichols,	Thornton,
Hawkins,	Phillips,	Trice,
Hamilton,	Pottle,	W. A. Walton,
Hood,	Redding,	J. H. Walton,
Holland,	M. Reid,	Williford.

Those who voted in the negative are, Messrs.

Adams,	Hardison,	Radford,
Alread,	Headen,	Rice,
Bell,	Hendrick,	Riley,
Boatright,	Keith,	N. Robinson,
Benj. Cleveland,	Linn,	Rumph,
Crawford,	Manor,	Staten,
Dial,	McDougald,	J. Stewart,
Fields,	McGregor,	Stokes,
Fish,	McLean,	Strickland,
Gartrell,	McMillain,	Turner,
Griffin,	Paris,	West,
James Hardin,	Pickett,	A. J. Williams,
Harris,	Poole,	Young,
Hatton,	Powell,	Yopp.

The Speaker voting in the negative, the motion was lost.

Mr. Irwin moved to make the said bill the special order of the day for Friday next. Upon which motion, the yeas and nays were required to be recorded, and are : yeas 60, nays 32.



Those who voted in the affirmative are, Messrs.

Adams,	Headen,	Richardson,
Armstrong,	Hendrick,	R. A. Robinson,
Bostwick,	Hood,	N. Robinson,
Brown,	Hudson,	J. C. Smith,
Calloway,	Irwin,	G. K. Smith,
Champion,	Leverett,	W. R. Smith,
Clements,	Linn,	Wm. Smith,
Cody,	Maxwell,	Stapleton,
Crawford,	Mays,	Stephens,
Crittenden,	McComb,	L. S. Stewart,
Eberhart,	McCurdy,	J. Stewart,
Fannin,	McMullin,	J. Taylor,
Fish,	McWhorter,	Thornton,
Grant,	Moughon,	W. A. Walton,
Green,	Nichols,	J. H. Walton,
W. P. Harden,	Paris,	H. L. Williams,
Harrall,	Phillips,	A. J. Williams,
Hardeman,	Pottle,	Wilson.
Hawkins,	Redding,	Williford,
Hamilton,	M. Reid,	Woodward,

Those who voted in the negative are, Messrs.

Alread,	Manor,	Riley,
Bell,	McDonald,	Rumph,
Benj. Cleveland,	McDougald,	Shewmake,
Durden,	McGregor,	Staten,
Dial,	McLean,	Strickland,
Fields,	McMillan,	Sweat,
Gartrell,	Pickett,	Turner,
Griffin,	Poole,	West,
James Hardin,	Powell,	Whitworth,
Hardison,	Radford,	Young,
Keith,	Rice,	Yopp,

So the motion prevailed.

On motion, leave of absence was granted to Messrs. Fish, Rowell and Griffin, for a few days.

The House took up the report of the Committee on the bill to be entitled an act to compensate Grand and Petit Jurors in the county of Habersham.

Mr. Cleveland, of Habersham, moved to strike out the words, "first of October," and insert the words, "first of May"; which was agreed to.

The report, as amended, was agreed to. The bill was read the third time and passed.

On motion of Mr. McDougald, leave of absence<sup>b</sup> was granted to the Sub-Committee on the Deaf and Dumb Asylum, from Saturday last.

On motion of Mr. Stapleton, leave of absence was granted to the Committee on the Lunatic Asylum.

Mr. Pottle moved that the House do adjourn until tomorrow morning, at 10 o'clock.

Whereupon, the yeas and nays were required to be recorded, and are : yeas 40, nays 46.

Those who voted in the affirmative are, Messrs.

Adams,	Hawkins,	R. A. Robinson,
Armstrong,	Irwin,	Rumph,
Bell,	Keith,	J. C. Smith,
Bostwick,	Lamar,	G. K. Smith,
Brown,	McCurdy,	Stapleton,
Crittenden,	MoDonald,	L. S. Stewart,
Dial,	McDougald,	Sweat,
Eberhart,	McGregor,	Thernton,
Gartrell,	Moughon,	West,
Grant,	Poole,	A. J. Williams,
Green,	Pottle,	Wilson,
Griffin,	Powell,	Woodward.
Harris,	Richardson,	
Hardeman,	Riley,	

Those who voted in the negative are, Messrs.

Alread,	Hardison,	McMullin,
Bridges,	Headen,	Nichols,
Benj. Cleveland,	Henderson,	Paris,
Clements,	Hendrick,	Pickett,
Crawford,	Hood,	Radford,
Fannin,	Holland,	Redding,
Fields,	Hudson,	M. Reid,
Fish,	Linn,	Rice,
W P Harden,	Manor,	N. Robinson,
James Hardin,	Mays,	Shewmake,
Hatton,	McLean,	W R. Smith,

W Smith,	Trice,	H. L. Williams,
Staten,	Turner,	Williford,
Stephens,	W. A. Walton,	Young,
J. Stewart,	J. H. Walton,	
J. Taylor,	Whitworth,	

So the motion was lost.

On motion of Mr. Pottle, the House adjourned until half past 9 o'clock to-morrow morning.

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WEDNESDAY, DECEMBER 7th, 1853.

The House met pursuant to adjournment.

Upon the call of the House, the following members answered to their names, to wit : Messrs.

Alread,	Hudson.	R. A. Robinson,
Armstrong,	Irwin,	N. Robinson,
Champion,	Keith,	Rumph,
Clark,	Leverett,	Shewmake,
Benj. Cleveland,	Linn,	Stapleton,
W. C. Cleveland,	Maxwell,	Staten,
Clements,	Manor,	Stephens,
Cody,	Mays,	Strickland,
Dial,	McCurdy,	Sweat,
Fannin,	McDonald,	J. Taylor.
Fields,	McDougald,	D. W. Taylor,
Griffin,	McGregor,	Thornton,
W. P. Harden,	McLean,	Trice,
Harris,	McMillan,	Turner,
Harrall	McWhorter,	W. A. Walton,
Hatton,	Moughon,	J. H. Walton,
Hardeman,	Nichols,	West,
Hawkins,	Paris,	A. J. Williams,
Hardison,	Pickett,	Wilson,
Headen,	Poole,	Williford,
Henderson,	Redding,	Woodward,
Hood,	Rice,	Young,
Holland,	Riley,	Yopp.

Messrs. Grant, Powell, Jones and Rucker, were reported sick.

Mr. McCurdy moved to suspend the rules, to take up the report on the bill to be entitled an act to incorporate the

town of Dalton, in the county of Whitfield, under the name of the city of Dalton, and provide for the election of Mayor and City Councilmen, and such other officers as may be required and confer upon them certain powers therein mentioned, and to make permanent the location of the Court House and Jail in said county of Whitfield.

On motion of Mr. McCurdy, the bill was recommitted, when Mr. Trice offered the following amendment, to wit: "provided, that nothing in any section of this act, shall be construed so as to vest in said corporation, any power to pass any act, contrary to the laws of this State;" which motion was agreed to.

Mr. McCurdy moved to amend said bill, by striking out the words, "Penitentiary punishment," and inserting in lieu thereof, the words, "a fine of one hundred dollars, or imprisonment in the Jail of the county, for six months, at the discretion of the Court."

The House took up the report of the committee on the Bill as amended; the bill was read the third time and passed.

A communication and memorial was received from the Hon. James J. Scarborough, and read as follows:

*To the Hon. Speaker and Presiding*

*Officer of the House of Representatives:*

Sir:—Enclosed, you have a memorial addressed to you in your official character, and to the House of Representatives, over which you have the distinguished honor to preside. I have, I humbly conceive, used every effort on my part, consistent with personal honor and professional integrity, to avoid the necessity of making this communication to the assembled Representatives of the people of my native State. Those efforts have been fruitless.

I now, therefore, most respectfully ask you, sir, at the earliest moment the rules and regulations of the honorable body, over which you preside, will allow, to present the accompanying memorial to that body, in order that such proceeding may be instituted as they in their justice and wisdom may deem meet.

I am respectfully your ob't ser'vt.

JAMES J. SCARBOROUGH.

*To the Hon. Speaker and Members of the House of Representatives of the State of Georgia, in General Assembly met.*

It is with no ordinary emotions of sorrow, that the undersigned, memorialist, feels constrained from an imperative sense of duty to himself, duty to a client, whose interests he represents and which are likely to suffer, as well as a duty which he owes to the people of the Macon Judicial Circuit, to prefer before the sovereign power of his native State, his complaint against a high judicial public functionary, the Hon. Abner P. Powers, Judge of the Superior Courts of the Macon Circuit.—

Your memorialist respectfully represents to your honorable body, that on the 12th day of October, 1853, during the regular term of Dooly Superior Court, one Henry Hodges, for whom your memorialist was sole counsel, was put upon his trial upon the indictment for a charge of stabbing, and was convicted. That on Friday the 14th day of said month, after a motion for a new trial had been overruled by the Hon. Abner P Powers, the Judge presiding upon the trial, the said Judge proceeded to sentence said Henry Hodges, to fifteen months imprisonment in the Penitentiary, which judgment and sentence, under the circumstances and considering the discretionary power vested in said Judge, your memorialist submits was an abusive exercise of discretion. Your memorialist further represents, that after said judgment and sentence was so pronounced, your memorialist as counsel for said Hodges, tendered to said Abner P. Powers, as Judge aforesaid, a bill of exceptions, and after the same underwent the revision and approval of said Judge, and on Friday, in the afternoon of the 14th of October, 1853, said Judge duly and officially signed and certified the same to be a consistent statement of the facts of said case, and after the Judge had so certified said bill of exceptions, and officially ordered the same filed, and on the same day, your memorialist attached the writ of error and citation issued by the Clerk of the Supreme Court, and notice, and procured the acknowledgment of service in writing thereon, of Wm. R. DeGraffenreid, Esq., Solicitor General, and there, on the same day and in the forenoon of the same day, filed the whole in the Clerk's office of Dooly Supreme Court, pursuant to law, and immediately after dinner your memorialist left the Court for home. And your memorialist further represents to your honorable body, that after the said bill of exceptions of Henry Hodges, plaintiff in error against the State of Georgia, had been filed, certified and served, it became a Supreme Court record paper, or proceeding to all intents and purposes, and had passed beyond the revision, jurisdiction and control of said circuit Judge. Yet, notwithstanding all this, he the said Abner P Powers, Judge as aforesaid, either officially or unofficially, after the said signing, certifying, serving and filing as aforesaid, and after your memorialist, counsel for the said Henry Hodges, had left for home, actually obtained possession of said bill of exceptions, writ of error, citation and notice, took the same from out of the Clerk's office of Dooly Superior Court, carried the same home with him to Macon, and thirteen days thereafter, on the 27th of October, 1853, had the same in his possession at Perry, Houston county, and that while he so had said bill of exceptions in his possession, your memorialist states that he, the said Hon. Abner P Powers, so being such Judge, wilfully, knowingly and intentionally,

altered and changed and falsified the bill of exceptions, by withdrawing two leaves therefrom, in the handwriting of your memorialist, containing over two pages, and substituting in lieu thereof, three leaves in his own hand writing, then retained the two leaves originally signed and certified by him in his official capacity, as part of the bill of exceptions, and caused the bill of exceptions to be returned back to the Clerk of the Superior Court of Dooly county, as altered, changed and falsified as aforesaid, said alterations being very important and material and prejudicial to the rights of said Henry Hodges. Your memorialist further represents to your honorable body, that after the said Abner P. Powers, so being such Judge, had so withdrawn said leaves, your memorialist applied to said Judge and requested him to restore the two leaves which he had so wrongfully withdrawn, and to withdraw the three which he had put in the bill of exceptions, and which he positively refused to do, and that said Judge has caused the Clerk of Dooly Superior Court, Robert B. Davies, Esq., to certify the bill of exceptions, and forward it in its altered, changed and falsified form, which bill of exceptions is not as it originally was certified, served and filed, and which does not contain a true history of the trial, or charge of Judge Powers, as originally signed and certified by him. Your memorialist is now in possession of the bill of exceptions, as altered by the said Judge, with a certificate of the Clerk, that it is the original filed, while the undersigned most positively states that the Judge withdrew two leaves, and substituted three after the bill of exceptions was signed by him, served on State's Counsel and filed in the Clerk's office.

The undersigned imputes no impure or wrong motive to Mr. Davies, the Clerk, but believes him to be an honest and faithful, as well as a capable public servant. The undersigned further represents, that on Tuesday, after the first Monday in November, 1853, he as counsel for the said Henry Hodges, the plaintiff in error, in the said record and bill of exceptions, moved the Supreme Court, then in session at Milledgeville for *mandamus*, to compel said Abner P. Powers, Judge as aforesaid, to restore to the said bill of exceptions, the two leaves so withdrawn and to take therefrom the three leaves so to put in by him. Although the Supreme Court denied the motion for *mandamus*, yet they held the Judge had no jurisdiction or control over the bill of exceptions, after he signed and certified the same, after it was served and filed, that the interference with the bill of exceptions by the Judge thereafter, was an unofficial individual act, &c.; which opinion of the Supreme Court, written out and legally authenticated, your memorialist is now in possession of, subject to the call of your honorable body.

Your memorialist further states to your honorable body,

that Judge Powers is now in possession of the two leaves so withdrawn by him, unless he has destroyed the same; that your memorialist has, in person, informed Judge Powers of the decision of the Supreme Tribunal; that he refused to restore the said two leaves, and stated he would measure strength or contest the matter with the Supreme Court. Again your memorialist, by letter, dated November 15th, 1853, requested Judge Powers to return to the Clerk's office of Dooly Superior Court, said two leaves so withdrawn, which he has positively refused to do.

Your memorialist most respectfully submits to your honorable body whether such conduct on the part of a judicial officer, is consistent with official integrity, or legal and mental capacity to be longer entrusted with jurisdiction over the lives, liberties and sacred honor of an enlightened and honest constituency? And whether said acts of Judge Powers are not obnoxious to the 12th Section of the 8th Division of the Penal Code of this State?

The undersigned would further represent to your honorable body, that often and repeatedly during the present term of service of the said Abner P. Powers, as Judge of the Macon Circuit in term time, and upon the bench when presiding, he has been so much inebriated and drunken, as to totally disqualify him; that his intellect has been frequently wholly obscured and beclouded, and besotted, so much so as not to be cognizant of what he had decided but a very few minutes before, and especially was so in this case, at the April term, 1853, of Houston Superior Court.

The undersigned most seriously regrets the necessity which impels him to ask of and request your honorable body to make an investigation of the grounds of complaint herein contained and suggested, all of which your memorialist states as facts, and is ready and willing to prove, if your honorable body will afford, and which he does not doubt, the necessary facilities. All of which is respectfully submitted by

JAMES J. SCARBOROUGH,

Now at Brown's Hotel, Milledgeville, Ga.

December 6th, 1853.

On motion of Mr. Phillips, the communication and memorial was laid on the table for the present.

The following message was received from the Senate by Mr. Moore, their Secretary, to wit:

*Mr Speaker*—The Senate has passed the bill of the House of Representatives, entitled an act to incorporate the McDonough Collegiate Seminary, and to give to the commissioners of the incorporation of the town of McDonough, certain powers and privileges therein specified, with an

amendment in which they ask the concurrence of the House.

I am instructed by the Senate, also, to transmit forthwith to the House of Representatives, the bill of the House, this day passed by the Senate, entitled an act to amend the several acts relating to the Court of Common Pleas and of Oyer and Terminer of the city of Savannah. and for other purposes.

On motion of Mr. McDougald, the rules of the House were suspended.

The House took up the bill to be entitled an act to incorporate the McDonough Collegiate Seminary, and to give the commissioners of the town of McDonough, that shall hereafter be elected, full power and authority to pass and enforce all such by laws and ordinances as they in their judgment may believe necessary to guard the interest of the citizens residing in the corporate limits of said town of McDonough, and to insure the permanent prosperity of said institution.

Mr. McDougald moved to concur in the amendment made by the Senate, which amendment reads as follows, to wit: "Shall have exclusive control of the granting of license to retail spirituous liquor within the corporate limits of said town, and shall fix the fees for license to retail spirituous liquors, at such sum as they, or a majority of them, may prescribe." And

On the motion to concur in said amendment of the Senate, the yeas and nays were required to be recorded, and are: yeas 39, nays 57.

Those who voted in the affirmative are Messrs.

Andrews,	James Hardin,	Poole,
Armstrong,	Harrall,	Pottle,
Brown,	Hardeman,	Powers,
Champion,	Hawkins,	Redding,
Clark,	Hood,	Richardson,
Clements,	Holland,	Shewmake,
Cody,	Irwin,	J. C. Smith,
Crawford,	Linn,	Stapleton,
Crittenden,	McCurdy,	Stephens,
Fannin,	McGregor,	L. S. Stewart,
Green,	McMullin,	Turner,
Gross,	McWhorter,	W. A. Walton,
W. P. Harden,	Paris,	Wilson,

Those who voted in the negative are Messrs.

Adams,	Bell,	Bridges,
Alread,	Bostwick,	Calloway,



Benj. Cleveland,	McComb,	W Smith,
W C. Cleveland,	McDonald,	Staten,
Dial,	McDougald,	J. Stewart,
Eberhart,	McLean,	Stokes,
Fields.	McMillan,	Strickland,
Gartrell,	Moughon,	Sweat,
Griffin,	Nichols,	D. W Taylor,
Harris,	Phillips,	Trice,
Hatton,	Pickett,	J. H. Walton,
Hardison,	Radford,	West,
Headen,	M. Reid,	Whitworth.
Henderson,	Rice,	H. L. Williams,
Hudson,	Riley,	A. J. Williams,
Keith,	N. Robinson,	Williford,
Maxwell,	Rumph,	Woodward,
Manor,	G. K. Smith,	Young,
Mays,	W. R. Smith,	Yopp.

So the motion to concur in the amendment was lost.

The House resumed the call of the counties, when the following bills were introduced, and read the first time to wit :

Mr. Dial reported

A bill to be entitled an act to alter and change the names of certain persons therein stated, and for other purposes therein named. Also,

A bill to be entitled an act to remove the election precinct in the 442d District, G. M., of Appling county.

Mr Hardeman reported

A bill to be entitled an act to amend the 2d Section of an act to authorize the construction of the Magnetic Telegraph, and providing for the protection of the same—approved December 29th, 1847 Also,

A bill to be entitled an act for the relief of the securities of Richard Bassett, Tax Collector of Bibb county, for the year 1849.

Mr. Hardeman reported

A bill to be entitled an act to amend an act entitled an act, to give painters who may paint houses in the counties of Baldwin and Bibb, a lien upon such houses and premises, of equal dignity with the lien of master masons and master carpenters, given by the several laws now of force in said counties, approved January 17th, 1852, so as to make the same general.

Mr. Shewmake reported

A bill to be entitled an act to alter and amend so much of the 11th Section of the 3d Article of the Constitution of the State of Georgia as is embraced in the following paragraph,

to wit : But no person shall be twice elected Sheriff within any term of four years.

Mr. Shewmake reported

A bill to be entitled an act to appropriate a sum of money to remove obstruction from Brier Creek, and to render the same navigable for the transportation of timber rafts, lumber, wood and produce from Godbee's Bridge, in the county of Burke, to the junction of said creek with the Savannah River, and for other purposes therein mentioned.

Mr. Powell reported

A bill to be entitled an act to alter and amend an act entitled an act to alter the law in relation to interest on money—approved December 17th, 1845.

Mr. Green reported

A bill to be entitled an act to incorporate the Macon Manufacturing Company.

Mr. West reported

A bill to be entitled an act to incorporate a bank in the town of Fort Gaines, to be called the South Western Bank of Georgia.

Mr. Cleveland of Habersham, reported

A bill to be entitled an act amendatory of an act to authorise the Governor to appoint fit and proper persons to sell and dispose of the undrawn lots in the land lotteries heretofore had in this State, and to limit the time for fraction purchasers to pay for, and to take out grants for fractions, and for other purposes—approved 30th December, 1849.

Mr. Fields reported

A bill to be entitled an act to alter and amend the 8th Section of an act entitled act to carry into effect the amended Constitution of this State in reference to the Ordinaries of said State, so as to change the time of holding the Courts of Ordinary, from the first, to the second Monday in each and every month, so far as the courts of Cherokee are concerned.

Mr. Stokes reported

A bill to be entitled an act for the relief of Charles W. Mabry of the county of Heard.

Mr. Taylor, of Houston, reported

A bill to be entitled an act to incorporate Haynesville Baptist Church, of Houston county. Also,

A bill to be entitled an act to alter and change the name of Mary Jane Bender to that of Mary Jane Gordon, and to legitimize the same.

Mr. McMillan reported

A bill to be entitled an act to appropriate money for the support of the Government for each of the political years 1854 and 1855, and for other purposes therein specified.

Mr. Leverett reported

A bill to be entitled an act to incorporate an Academy on Lot No. 182, in the 10th District, in the county of Meriweher, to be known by the name and style of Spring Hill Academy, and to provide means for the same.

Mr. Stapleton reported

A bill to be entitled an act to give to Justices of the Interior Courts in each county of this State, the exclusive right to grant license to retail spirituous liquors in their respective counties, and fix the fees for the same.

Mr. Turner reported

A bill to be entitled an act for the relief of Samuel M. Street.

Mr. Stapleton moved to suspend the rules, that the Clerk might be instructed to inform the Senate, that the House refused to concur in the Senate's amendment to the bill to be entitled an act for the incorporation of the McDonough Collegiate Institute; which was agreed to, and the bill ordered to be transmitted to the Senate forthwith.

The House then proceeded with the call of the counties.

Mr. McDougald reported

A bill to be entitled an act to require the several Judges of the Superior Courts of this State, on the trial of all cases before a special jury, either at law or in equity, to have all the parol testimony taken down in writing, at the request of either party, or their counsel, in the words and language of the witness as near as may be, and to require said Judges to reduce to writing, before pronouncing thereon, their judgment, or opinion, upon all questions at law, or in equity, or of a criminal nature, and also to require said Judges to reduce to writing, before delivering the same, their charge to the aforesaid Special and Petit Jurors, and to give the same in charge as so written, and not otherwise, and for other purposes therein named.

Mr. Brown reported

A bill to be entitled an act to amend an act to alter and change the time of holding the Superior Courts in the county of Marion.

The following communication and report of the Committee, was received from the Committee of the Georgia State Teachers' Association; which, upon motion of Mr. Thornton, was referred to the Committee on Education, and which was read as follows, to wit:

*To the House of Representatives  
of the State of Georgia:*

GENTLEMEN—The undersigned committee of the Georgia State Teachers' Association have been appointed to present to your honorable body the enclosed scheme of a bill for introducing a more efficient system of general education for this State.

In discharging this pleasing duty, gentlemen, we deem it unnecessary to speak of the importance of right education, to all our people, whether regarded as individuals, or as members of this commonwealth. These arguments have been repeatedly and forcibly presented in executive and other documents, for your consideration. The inquiry of leading moment now is, *how* the blessings of education are to be extended to all classes of our population?

This is indeed a grave question, and one which your memorialists do not propose now to answer. A work so complicated and extensive, demands much patient thought and extended investigation, accompanied by untiring zeal and devotion to this momentous interest; and for the purpose of securing for it this degree of consideration, the Teachers' Association can conceive of no measure better than that contained in the paper herewith submitted, and which we are confident will commend itself at once to the intelligence of your honorable body.

Soliciting for this measure, your earnest consideration and ready co-operation, your memorialists will ever pray, &c.

THOMAS B. SLADE,  
THOMAS F. SCOTT,  
JOS. P. WADDEL,

*Milledgeville, Dec. 2d, 1853.*

The committee to whom was referred the duty of embodying the views of this association, as to the best method which can at this time be adopted for introducing a system of general elementary education into the State of Georgia, would recommend that a committee of three be now appointed, who shall be instructed to memorialize the Legislature, in behalf of this association, to pass a statute embracing the following particulars:

1st. That a Board of Commissioners, consisting of the Governor of the State, and one member from each judicial circuit, to be styled the "Board of Commissioners of Public Instruction," be organized, said Commissioners to be elected by the Legislature, for the term of—years.

2d. It shall be made the duty of said Commissioners to collect, digest, and report to the Legislature, all the information they can obtain as to the educational wants of the people of Georgia; they shall diffuse such knowledge among the people, as will enable them better to understand and extend the benefits of general education; they shall prepare and report to the Legislature, at its next session, a plan, in detail, for organizing and conducting a system of elementary schools, which shall, if possible, embrace the children of the State whose education is now but partially, or not at all, provided for.

3d. The better to secure these ends, these Commissioners

shall elect a Secretary, whose duty it shall be, by visiting as far as possible, all counties in the State, and by such other methods as the Board may devise, to ascertain all facts necessary for carrying into effect the purposes for which such Board is appointed; he shall furthermore, deliver lectures and addresses upon the subject of education, and report his acts in detail to the Board.

4th. The Board shall hold its first meeting at the call of the Governor, and shall have power to adjourn to such times and places as they may choose, and to fill vacancies occurring by death, removal or otherwise, in the interval of the sessions.

5th. The sum of five thousand dollars annually, shall be appropriated to the use of said Board, out of which a salary of \_\_\_\_\_dollars shall be paid to the Secretary of the Board, and the residue be held as a contingent fund, to meet the expenses actually accruing in the discharge of the duties heretofore specified.

Mr. Stewart of Hancock, introduced the following resolution, to wit:

**WHEREAS:** There is an immense accumulation of business before the present Legislature, and whereas the closing of the present session thereof, at the usual time, would necessarily bring about hasty and inconsiderate legislation, which would be wrong in itself, and unjust to the people; and whereas, it is important to the interest of the State and people, that the legislation necessary should be had, and the growing of the State requires that more time should be consumed in legislation. Be it, therefore,

*Resolved,* That the Senate and House of Representatives of the State of Georgia, in General Assembly now met, do take a recess from and after the 17th instant, and meet again on the second Monday in January next.

Mr. Calloway reported

A bill to be entitled an act to vest in the Trustees of the Eatonton camp ground, in the county of Putnam, authority to make by-laws and regulations necessary for the peace, good order and good government of said camp ground, and to enforce the same, and for other purposes.

Mr. Walton of Richmond, reported

A bill to be entitled an act to authorize the distribution of estates, in certain cases therein mentioned.

Mr. Thornton reported

A bill to be entitled an act to appoint commissioners to digest, prepare, and report to the next Legislature, a code of statute law for this State.

Mr. Griffin reported

A bill to be entitled an act to limit the number, and prescribe the manner of electing, Assistant Clerks of the House of Representatives. and also the number of Assistant Clerks

under the Secretary of the Senate, and for other purposes therein mentioned.

Mr. Pottle reported

A bill to be entitled an act to authorize and require the poor school Commissioners of the county of Warren, to pay George W Ray, out of the poor school fund of said county, the amount paid by him, as Justice of the Peace, out of his individual funds, for teaching poor children in said county, in the year 1850.

Mr. Sweat reported

A bill to be entitled an act to appropriate money to improve the navigation of the Big Satilla and Alapaha Rivers, and to appoint commissioners for the same.

Mr. McCurdy reported

A bill to be entitled an act to alter and amend an act entitled an act to carry into effect the 4th and 5th Sections of the 3d Article of the Constitution of the State of Georgia, approved December 21st, 1819.

Mr. Irwin reported

A bill to be entitled an act to amend an act entitled an act to incorporate the town of Washington, in the county of Wilkes, assented to 1821, and to vest the Inferior Court of said county with discretionary power in certain cases.—Also,

A bill to be entitled an act to amend the rent laws of this State. Also,

A bill to be entitled an act to authorize the equitable remedy of specific performance, in certain cases.

Mr. Crittenden reported

A bill to be entitled an act to authorize John E. George, guardian of Jane Jones, a free woman of color, in the county of Spaulding, to bind out her children.

Mr. Pottle reported

A bill to be entitled an act to carry into effect an act entitled an act respecting bastardy and other immoralities, approved Dec. 16th, 1793, and for other purposes.

On motion, leave of absence was granted to Messrs. Lev-  
erett, Hardison and Robinson of Washington, for a few days.

On motion of Mr. Shewmake, the House adjourned until 3 o'clock, P. M.

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### THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

On motion, leave of absence was granted to Mr. Grant for a few days, on account of indisposition.

The House then proceeded with the regular order of bus-

iness, and the following bills of the Senate were taken up, read the second time, and ordered to be committed for a third reading, to wit :

A bill to be entitled an act to legalize the adjournment of the Superior Court of Lee county.

A bill to be entitled an act to divide the offices of Receivers of tax returns and Tax Collectors, of the counties of Baker and Gwinnett.

The following bills of the House were taken up, read a second time, and ordered to be committed for a third reading, to wit :

A bill to be entitled an act to confirm and make valid an ordinance of the city of Savannah, passed August 11th, 1853.

A bill to be entitled an act to incorporate the "Irish Jasper Greens," a volunteer corps, in the city of Savannah.

A bill to be entitled an act supplementary to an act entitled an act to organize a volunteer battalion in the city of Savannah, to be called the "Independent Volunteer Battalion of Savannah," approved January 20th, 1852.

The following Senate bill was taken up, read a second time, and ordered to be committed for a third reading to wit :

A bill to be entitled an act to abolish, change and establish new election precincts in the counties hereinafter named.

The following bill was taken up, read the second time and on motion of Mr. McWhorter, was referred to the Committee on Banks :

A bill to be entitled an act to incorporate a Bank in the city of Savannah, to be called the "Mechanics and Traders Bank."

The following bill was taken up, read the second time, and on motion, was referred to the Committee on the Judiciary :

A bill to be entitled an act to incorporate the "Savannah Hotel Company."

The following bills were taken up, read the second time, and ordered to be engrossed for a third reading :

A bill to be entitled an act to authorize John Wesley Grantham of the county of Cobb, in this State, to peddle goods, wares and merchandize, within certain counties therein mentioned, without a license, and without being subject to pay any tax.

A bill to be entitled an act to authorize James Lasseter, son of John Lasseter, a minor, to transact his own business in the same manner, and subject to the same responsibilities, as though he was of full age, and for other purposes.

The following bills were severally taken up, read the se-

cond time, and ordered to be committed for a third reading to wit :

A bill to be entitled an act to prevent frauds, and for other purposes,

A bill to be entitled an act to amend an act to define the mode in which costs shall be taxed and collected in future assented to December 27th, 1842, and to define and declare the liability of attorneys at law for costs, and also to authorize execution to issue against them, in certain cases therein specified.

A bill to be entitled an act to amend the several laws incorporating the city of Milledgeville, and to establish a Police Court therein.

A bill to be entitled an act to amend an act entitled an act to incorporate the town of Marietta, enlarge the boundaries, and for other purposes therein named, so as to give the election of Marshal of the city of Marietta to the people, to authorize his removal from office, and for other purposes therein named.

A bill to be entitled an act to add a part of Union county to the county of Gilmer.

A bill to be entitled an act to extend the jurisdiction of Justices of the Peace, so as to authorize them to try causes sounding in damages, where the amount claimed does not exceed thirty dollars.

A bill to be entitled an act to alter, change and amend an act, entitled an act to compensate Grand and Petit Jurors of the county of Muscogee, and to authorize the Justices of the Inferior Court of said county to levy and collect a tax for such purposes, and for other purposes herein contained, approved December 21st, 1849, so far as to require the Clerk of the Superior and Inferior Courts of said county to pay over to said Jurors the full amount of all jury fees, in addition to the one dollar per day, now allowed by the above recited act, and for other purposes therein named.

The following bill was taken up, read a second time, and upon motion of Mr. McMillan, it was referred to the Committee on New Counties, to wit :

A bill to be entitled an act to organize and lay off a new county, from the counties of Jackson, Clark, Walton and Gwinnett.

The following bill was taken up, read a second time, and upon motion of Mr. McCurdy, it was referred to a Special Committee, appointed by the Speaker *pro tempore*, and consisting of Messrs. McCurdy, Turner and Mays.

The following message was received from the Senate, by their Secretary, Mr. Moore, to-wit :

Mr. Speaker—The Senate has this day passed a bill, entitled an act to lay out and organize a new county, from the county of DeKalb, and for other purposes therein specified;



which I am directed to transmit forthwith to the House of Representatives.

The following bills were taken up, read the second time, and committed for a third reading, to wit :

A bill to be entitled an act to change the names of Roscoe Tallulah Clay Niles to Roscoe Clay Wallace, and the name of Jeannette Millar Barrow Niles to Jeannette Barrow Wallace, and the name of Ophelia Celestia Wood to Ophelia Celestia Bilbro, and to legitimize said Ophelia Celestia Bilbro, and for other purposes therein mentioned.

A bill to be entitled an act to attach a portion of Crawford county to the county of Taylor.

A bill to be entitled an act to authorize the Tax Collector of the county of Paulding, for the years 1854 and 1855, to pay over the amount of tax by him collected for State purposes, to the Justices of the Inferior Court, to be by them applied to the payment for erecting a Court House for said county.

A bill to be entitled an act to make John C. Cain, heir at law of John Cain.

A bill to be entitled an act to appropriate one thousand dollars from the Treasury of this State, for the purpose of improving and working out a road from the four mile post, on the road leading from Clayton, Georgia, down Simpson's creek, to Edly Powell's, and up Dicks creek, across the Blue Ridge, to the house of Elijah Denton, in Union county, and to appoint certain commissioners for the same, and for other purposes therein mentioned.

A bill to be entitled an act to change the name of Joseph Bartlett, and to legitimize the said Joseph D. Bartlett.

A bill to be entitled an act to repeal an act entitled an act, passed in 1851 and 1852, requiring Rail Road companies to place over or near their tracks sign boards, &c.

A bill to be entitled an act to authorize and require the Treasurer of the State to pay over the State tax of the county of Taylor for the year 1853, to the Justices of the Inferior Court of said county, or their order, for the use thereof.

A bill to be entitled an act for the relief of Doctor A. B. Brantly, and to authorize the Governor to draw his warrant on the Treasury in his behalf, for the amount therein stated.

A bill to be entitled an act for the relief of John Cook, of Union county.

A bill to be entitled an act to exempt practicing physicians from Jury duty, and from serving as witnesses in Superior Courts, and for other purposes herein specified.

The following bill was taken up, read a second time, and

on motion of Mr. Shewmake, was ordered to be referred to the Committee on Finance, to wit :

A bill to be entitled an act to amend an act entitled an act to levy and collect a tax for each of the political years 1852 and 1853.

The following bills were taken up and read the second time, and ordered to be engrossed for a third reading :

A bill to be entitled an act to incorporate the Masonic Female College, in Lumpkin, Ga., and to confer certain privileges on the same. Also,

A bill to be entitled an act to make it the duty of the Tax Receivers of the State, to require all persons making their returns to give in the number of each lot of land by them returned, also, the County, District, and Section, or Districts and Sections in which said lands may be situated, and for other purposes therein specified.

The following bills were taken up, read the second time, and ordered to be committed for a third reading :

A bill to be entitled an act to authorize Demp. Phillips, of the county of Emanuel, to peddle goods, &c. Also,

A bill to be entitled an act to appropriate a sum of money to John R. Jenkins of Pike county, for expenses and services therein mentioned. Also,

A bill to be entitled an act to authorize the issuing of a certain grant therein specified.

The following bills were severally taken up and read the second time, and committed for a third reading :

A bill to be entitled an act to attach the county of Taylor to the Macon Judicial Circuit, and to regulate and fix the times of holding the Superior and Inferior Courts thereof.

A bill to be entitled an act to amend an act entitled an act to amend the 26th Section of the Judiciary Act, passed the 16th day of December, 1799, and also to prevent a fraudulent enforcement of dormant judgments, approved December 19th, 1822.

A bill to be entitled an act to authorize teachers of poor children, in the county of Warren, to furnish books and stationery to such children, and to provide for the payment of the same.

A bill to be entitled an act to divorce and separate Mary Kerby, and her husband, Henry Kerby, of Dade county.

A bill to be entitled an act for the relief of Needham Smith of Houston county.

A bill to be entitled an act authorize Thomas B. Claiborne, an infirm man of the county of Putnam, as an itinerant trader, to vend goods, wares and merchandize, in the counties of Putnam and Hancock, without obtaining license for the same.

A bill to be entitled an act to authorize and require the

Ordinary or Commissioners of the Poor School Fund of Cass county, to pay Daniel Whitener for teaching poor children of said county, in the year 1852.

A bill to be entitled an act for the relief of Elizabeth Clark, a married woman of the county of Jefferson.

A bill to be entitled an act to alter and extend the provisions of an act entitled an act to extend the provisions of an act assented to December 11th, 1841, and also to amend an act assented to December 22d, 1843, so as to exempt from levy and sale certain property therein mentioned, approved December 29th, 1845.

The following bill was taken up, read a second time, and upon motion of Mr. Crawford, it was referred to the committee, who reported it, and made the special order of the day, for Monday next, to-wit :

A bill to be entitled an act to authorize the issuing of State bonds, for purposes therein named.

On motion, leave of absence was granted to Mr. Rucker, on account of sickness, for a few days.

On motion of Mr. McMullin, the House adjourned until half-past nine o'clock, to-morrow morning

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THURSDAY, DECEMBER 8th, 1853.

The House met pursuant to adjournment.

Mr. Redding moved to change his vote upon the amendment of the Senate, on the bill to incorporate McDonough Collegiate Seminary, and to give to the Commissioners of the town of McDonough certain privileges ; which motion was agreed to, and Mr. Redding's vote was recorded in the affirmative.

On motion of Mr. Hardeman, the account of Messrs. Levy & Nisbet, against the Penitentiary, was referred to the Finance Committee.

Mr. Cleveland of Habersham, moved to suspend the rules of the House, to take up the bill to be entitled an act to change the lines between the counties of Habersham and Lumpkin ; which motion was lost.

Mr. Gartrell moved to suspend the rules, for the purpose of introducing a resolution, to rescind a resolution requiring two-thirds to suspend the rules.

Whereupon, the yeas and nays were required to be recorded, and are : yeas 52, nays 48.

Those who voted in the affirmative are, Messrs.

Adams,

Andrews,

W. C. Cleveland,

Clements,	Lamar,	Rumph,
Crittenden,	Liun,	Shine,
Dial,	Manor,	G. K. Smith,
Eberhart,	Mays,	W. R. Smith,
Fields,	McComb,	W. Smith,
Gartrell,	McDonald,	J. Stewart,
Green,	McDougald,	Stokes,
J. Harden,	McLean,	Sweat,
Hatton,	McMillan,	J. Taylor,
Hawkins,	Nichols,	D. W. Taylor,
Hardison,	Phillips,	Trice,
Headen,	Poole,	West,
Henderson,	Redding,	Whitworth,
Hendrick,	M. Reid,	H. L. Williams,
Holland,	Rice,	Young,
Hudson,	R. A. Robinson,	
Keith,	N. Robinson,	

Those who voted in the negative are, Messrs.

Alread,	Harris,	Riley,
Armstrong,	Harrel,	Shewmake,
Barnes,	Hardeman,	Stapleton,
Bell,	Hood,	Staten,
Bostwick,	Irwin,	Stephens,
Brown,	Maxwell,	L. S. Stewart,
Calloway,	McCurdy,	Strickland,
Cameron,	McGregor,	Thornton,
Champion,	McMullin,	Turner,
Clark,	McWhorter,	W. A. Walton,
Benj. Cleveland,	Paris,	J. H. Walton,
Cody,	Pickett,	A. J. Williams,
Crawford,	Pottle,	Wilson,
Fannin,	Powers,	Williford,
Gross,	Radford,	Woodward,
W. P. Harden,	Reynolds,	Yopp.

Two-thirds not having voted in favor of taking up the resolution, it was lost.

The House then resumed the regular order of business, which was the reading of bills the third time.

The House took up the report of the committee, on the bill to be entitled an act to compensate the Grand and Petit Jurors of Crawford county, and to provide for the payment of the same.

The report of the Committee was agreed to. The bill was read the time, and passed under the title thereof.

The House took up the report of the committee on the bill to be entitled an act to incorporate Southworth Male and Female Academy.

The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to compensate the Grand and Petit Jurors of the county of Lumpkin, &c.

The report of the Committee was agreed to. The bill was read the third time and passed.

The following communication was received from Mr. Candler, Comptroller General, with an accompanying report; which communication was read as follows :

COMPTROLLER GENERAL'S OFFICE, }  
Milledgeville, December 8, 1853. }

*To the Speaker of the House of Representatives :*

Sir—In compliance with a resolution of the House of Representatives, passed November 18th, I have the honor to transmit to you the amount of real estate given in to the Receivers of Tax Returns of the State, in the years 1851 and 1853, also, the amount of tax on Bank Stock and Rail Roads paid in each of the above years, all of which is taken from the books of file in this office.

I have the honor to be your obedient servant,

E. S. CANDLER, Comptroller General.

On motion of Mr. Thornton, one hundred and fifty copies of the accompanying report were ordered to be printed for the use of the House.

The House took up the report of the committee on the bill to be entitled an act for the relief of Samuel Pascoe, which report was agreed to ; the bill was read the third time and passed, under the title thereof.

Mr. Gartrell reported as duly enrolled

A bill to be entitled an act to amend the several acts relating to the Court of Common Pleas and of Oyer and Terminer, of the city of Savannah, and for other purposes.

The House took up the report of the committee, on the bill to be entitled an act to change the line between the counties of Lumpkin and Hall.

The report of the committee was agreed to.

On motion of Mr. Headen, the bill was re-committed, for the purpose of allowing him to introduce an amendment.

Whereupon, he moved to strike out all the following words, to-wit : "after one hundred and fifty-three, and one hundred and fifty-four, in the 11th district, Hall county," and insert in lieu thereof, the following words, to-wit : "so as to include in the said county, Lumpkin, the lands belonging to A. B. Barker."

The question then recurred upon the motion to strike out which motion to strike out was lost.

The report of the committee was then agreed to. The bill was read the third time and passed.

Mr. Crawford made an additional amendatory report on the memorial of the Hon. Mark A. Cooper, asking the State of Georgia to loan him a certain amount of money therein named, which was read as follows, to-wit:

After enquiry and examination, your committee are enabled to present the following statistics, concerning the iron business in Georgia, at Etowah, which is the establishment belonging to Mr. Mark A. Cooper. There is a blast furnace producing daily four and a half tons of metal, in the form of hollow ware, machinery and pig metal, at an average value of forty-five dollars per ton, with a foundry attached; a rolling mill for Rail Road and merchant iron, of the various sizes of flat, round, square, and oval iron, producing five tons of iron per day; a nail factory for 3, 4, 6, 8, 10 and 12 penny nails, producing from ten to twelve kegs per day; a machine for the manufacture of Rail Road Spikes, with a capacity to produce a ton per day; a machine for making Rail Road chairs, and a machine for making nail kegs; a first class flouring mill, producing daily an average of one hundred and fifty barrels of flour, and able to produce two hundred and fifty barrels; a cooper's shop, that works from thirty to thirty-five coopers, capable to turn out one hundred and fifty barrels per day. The flouring mill works up about eight hundred bushels of wheat per day, and the cooper's shop works up two thousand staves and six hundred hoop-poles per day; the rolling mill works up six tons of pig metal per day, and consumes from two to three hundred bushels of stone coal, and four hundred bushels of charcoal. The furnace works up daily eight tons of iron ore, with a proper proportion of limestone, to flux it, and consumes six hundred bushels of charcoal. The charcoal used at this establishment costs four cents per bushel, delivered at this place, and is made on the premises. The stone coal has hitherto been brought from Kembrough Mine, seventy-five miles above Chattanooga, near Tennessee river, at a cost of twenty-five cents per bushel. Mr. Cooper has a coal mine of his own in Dade county, near the Nashville and Chattanooga Rail Road, which he has opened, and from which he is now supplying the rolling mill. This coal, as well as the Kembrough coal, has come to him on the State Road from Chattanooga, at a tariff of \$12.50 per car load, usually, but during the late administration, he has been charged at times \$15.00 and at others \$22.00 per car load. When he can get it regularly, it will take two car loads per day, and he can then double the product of the rolling mill. The ore is obtained on the premises, and is abundant, and costs, delivered at the furnace, one dollar per ton. The wheat for the flour mill is grown in Cherokee, Georgia, Tennessee and North Alabama. It has been brought to this mill from the vicinity of Abingdon, Virginia. All the wheat is brought on the Rail Road,

with a slight exception, at an average cost of seven cents per bushel. The aggregate produce of this mill during the season, ranges between ten and twenty thousand barrels, according to the supply of wheat. The stave timber is brought principally from the vicinity of Resacca, at a cost of nine dollars per thousand, the freight of which has been as much as five dollars per thousand, by Rail Road. The flour is sold in Georgia, North Alabama, and Tennessee, and shipped to Charleston and Savannah, and is at present being shipped to France. The iron for all the bridges on the Western & Atlantic Rail Road, from Dalton to Chattanooga, was made and fitted up at this establishment; likewise all the iron for the bridges from Chattanooga to Nashville, as far as the tunnel. A large portion of the iron made here is sold in Tennessee; and serves to pay for the coal and provisions sent from thence. Last Spring Mr. Cooper started a trade to Cincinnati and Nashville in pig metal. He shipped two hundred tons to those cities, and demonstrated that the transportation to Cincinnati cost very little more from Etowah, than from Etowah to Savannah. The result has been that six hundred tons of Georgia iron has gone that way, and now the trade is established, and Tennessee and Kentucky iron masters have, since the opening of this trade, come to Georgia, and have bought up the three furnaces near Etowah, owned by Dr. J. W. Lewis, and Mr. S. M. Earle, and are now sending their products to Ohio.

The Etowah Works have near ten thousand acres of land on the river of that name, near the Rail Road, with a water power unsurpassed by any in the southern country. The lands are mostly poor and mountainous, but filled with valuable ore, and without such an establishment would be unproductive and almost valueless. It requires two hundred and fifty operatives, laborers, teamsters, mechanics and agents, to carry on this establishment. These, with their families, make a population of six hundred people, who look to it for employment and subsistence. It requires twelve hundred hogs, or their equivalent in bacon, ten thousand bushels of corn, besides flour and goods, wares and merchandize, to supply the wants of the place, all which pay freight on the Western & Atlantic Rail Road.

On motion of Mr. Phillips, one hundred and fifty copies of the foregoing amended report were ordered to be printed for the use of the House.

The House then proceeded with the regular order of business.

The House took up the report of the committee, on the bill to be entitled an act to remove an election precinct in the county of Meriwether, therein specified.

The report of the committee was agreed to, and the bill was read the third time and passed.

On motion, leave of absence was granted to Mr. Bridges of Coweta, for a few days.

The House took up the report of the committee, on the bill to be entitled an act to change the names of certain persons therein named, and to legitimize the same.

Mr. Hardeman moved to amend the same, by incorporating therein and changing the names of Josephine Jane, minor of Josephine Jane Smith of Bibb county, which motion to amend was agreed to.

The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report of the committee, on the bill to be entitled an act to permit lunatics and idiots and such persons as may have them in charge, to pass free on the Western & Atlantic Rail Road, on their way to and from the Lunatic Asylum.

The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report of the committee, on the bill to be entitled an act to authorize and require the Tax Collector of the county of Macon, to pay over the State tax for the year 1853, to the Justices of the Inferior Court, of said county, for the use thereof.

On motion of Mr. Phillips, the bill was referred to the Committee on Finance.

The House took up the report of the committee on the bill to be entitled an act to authorize the Justices of the Peace to grant land warrants, in the county of Montgomery.

The report of the committee was agreed to. The bill was read the third time and passed, under the title thereof.

The House took up the report of the committee upon the bill to be entitled an act to authorize the Ordinary of Tattnall county, to keep his office at his own residence.

The report was agreed to, and the bill was read the third time and lost.

The House took up the report of the committee on the bill to be entitled an act to compel the Sheriffs of the several counties in this State, to make levies or returns of *milla bona*, within certain time prescribed therein, and for other purposes.

The report was agreed to, and on motion of Mr. Fannin, the same was referred to the Committee on the Judiciary.

On motion of Mr. McDougald, the House then adjourned until three o'clock this afternoon.



## THREE O'CLOCK, P M.

The House met pursuant to adjournment.

On motion, leave of absence was granted to Messrs. Maxwell and McMullin, for a few days; on special business.

The House took up the following bills, which were read a second time, and ordered to be committed for a third reading, to-wit :

A bill to be entitled an act to establish an additional election precinct in the county of Macon.

A bill to be entitled an act to remove the precinct now at Mose Wright's house, known as State Rights, in the 530th District, Georgia Militia, in the county of Oglethorpe, to Woodstock, in said District, and for other purposes therein named.

A bill to be entitled an act to incorporate an Academy in the 7th District of Randolph county, and appoint Trustees for the same.

The following bills were taken up and read the second time, and ordered to be engrossed for a third reading :

A bill to be entitled an act, to alter and change the names of certain persons therein mentioned, and for other purposes, &c.

A bill to be entitled an act to change the name of Reuben C. Nail, of the county of Appling, to Reuben C. Wyley, and legitimize the same.

A bill to be entitled an act for the protection of creditors of corporations, in certain cases.

The following bills were taken up and read the second time, in order to be committed for a third reading :

A bill to be entitled an act to incorporate Walker's Academy, in Jasper county, and to appoint Trustees for the same.

A bill to be entitled an act to change the name of Amanda Ransom, to that of, Amanda Robinson, and make her the legal heir of Fulton Robinson, and for other purposes.

A bill to be entitled an act to incorporate Mount Cumberland Camp Ground, in Murray county.

A bill to be entitled an act to incorporate Ebenezer Camp Ground, in Murray county.

A bill to be entitled an act to increase the commissions of the Receiver of Tax Returns, of the county of Chatham.

The following bills were taken up, read the second time, and ordered to be committed for a third reading :

A bill to be entitled an act to incorporate the Social Circle Female Seminary.

A bill to be entitled an act to amend an act entitled an act concerning Coroners and Inquests.

A bill to be entitled an act to alter and amend an act, relating to the Court of Common Pleas of Oyer and Terminer of the city of Savannah, so far as relates to the fees of the Clerks of said Court.

A bill to be entitled an act to incorporate the town of Adairsville, in county of Cass, and for other purposes therein mentioned.

A bill to be entitled an act to remove an election precinct, in the county of Coweta.

The following bills were taken up, read the second time, and ordered to be committed for a third reading :

A bill to be entitled an act for the relief of William P Jackson, a teacher of poor children in the county of Troup, in the year 1849.

A bill to be entitled an act to incorporate the town of Granateville, in the county of Coweta.

The following bill was taken up, read the second time, and on motion of Mr. McWhorter, was referred to the Committee on the Judiciary :

A bill to be entitled an act to amend an act in relation to proceedings to recover debts not due, approved December 27th, 1845 ; and also, to amend the 2d Section of an act, in addition to, and amendatory of, an act to regulate attachments in this State, passed December 18th, 1816.

The following bills were taken up, read the second time, and ordered to be committed for a third reading :

A bill to be entitled an act to prevent the firing of any lands, woods or marshes, any where within the county of Decatur, during a certain portion of the year therein named.

A bill to be entitled an act to incorporate the Mountain Rangers, in the county of Gordon.

A bill to be entitled an act to compensate the Grand and Petit Jurors of the county of Hall, and for other purposes therein named.

A bill to be entitled an act to reduce the official bonds of the Sheriffs, hereafter to be elected in the county of Gordon, from the sum of twenty thousand dollars to the sum of ten thousand dollars.

A bill to be entitled an act to authorize Hezekeiah H. Porter, an infirm man, of the county of Hall, as an itinerant trader to vend any goods, wares or merchandize, within the Western Circuit, without obtaining license for the same.

A bill to be entitled an act to change the names of Rebecca Gertrude Garland, John Darius Garland, James William Garland, to the names of Rebecca Gertrude Herringdine, John Darius Herringdine and James William Herringdine.

The following bill was taken up, read the second time, and on motion of Mr. Cleveland, of Habersham, was referred to the Committee on Banks :

A bill to be entitled an act to establish and incorporate a Bank in the City of Savannah.

The following bill was taken up, read the second time, and referred to the Committee on Finance, under the resolution of the House :

A bill to be entitled an act to authorize and require the Tax Collector of the county of Hall to pay over to the Inferior Court of said county, the taxes due the State from said county, for the year 1854.

The following bill was taken up, read a second time, and on motion of Mr. Walton of Richmond, was referred to the Committee on Internal Improvements, to wit :

A bill to be entitled an act to authorize the Governor to purchase iron, and loan the same to the Brunswick and Florida Rail Road Company.

The following bills were taken up, read the second time, and ordered to be committed for a third reading :

A bill to be entitled an act to amend the seventh Section of the second Article of the Constitution.

A bill to be entitled an act to settle and fix the hours of labor by all free white males, under twenty years of age, and by all free white females, under or over twenty-one years of age, in all cotton, woollen and other manufacturing establishments in this State ; and to make all contracts to labor in said factories, for a greater length of time than herein described, null and void, at the option of said males and females, and for other purposes therein named.

The following bill was taken up, read the second time, and ordered to be engrossed for a third reading.

A bill to be entitled an act to change the line between the county of Macon and the county of Sumter, so as to attach certain citizens of the county of Sumter to the county of Macon.

A bill to be entitled an act to preserve inviolate the trial by jury, as used in this State prior to, and at the adoption of, the Constitution thereof, on the 30th day of May, in the year 1793, and to make said juries in all cases, either at law, or in equity, the judges of the law, the equity, and the facts of each case, and to require said jury to return in all cases a general verdict, and for other purposes therein named.

The following bills were severally taken up, read a second time, and committed for a third reading :

A bill to be entitled an act to amend an act, to authorize parties plaintiff to issue summons of garnishment in certain cases, as in cases of attachment, passed December 20th, 1823.

A bill to be entitled an act to amend an act, to regulate attachments in this State, passed 15th February, 1799.

A bill to be entitled an act to appropriate money to pay Francis Revier, and others, for expenses incurred by them, in pursuing and apprehending certain robbers therein mentioned.

A bill to be entitled an act, for the government of slaves in this State.

A bill to be entitled an act to alter the time of holding the Inferior Court of Spaulding county.

A bill to be entitled an act, to require the Ordinaries of the counties of Marion and Sumter to pay P. H. Delane and John A. Moss, certain sums of money, for teaching poor children of said counties, and for other purposes therein named.

Upon motion of Mr. Redding, the House adjourned until to-morrow morning, at 9 o'clock.

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FRIDAY, DECEMBER 9th, 1853.

The House met pursuant to adjournment.

Mr. McDougald moved to reconsider so much of the journals of yesterday as relates to the refusal of the House to suspend the rules to allow Mr. Gartrell to introduce a resolution to rescind the two-thirds rule ; which motion to reconsider was lost.

Mr. Stapleton moved to reconsider so much of the journals of yesterday as relates to the rejection of a bill to be entitled an act to authorize the Ordinary of Tattnall county to keep his office at his own residence ; which was agreed to.

On motion, leave of absence was granted to Mr. Boswick, for a few days.

On motion of Mr. Green, the rules of the House were suspended, to allow him to introduce the following resolution, to wit :

*Resolved.* That the communication and memorial of James J. Scarborough, Esq., addressed to this branch of the General Assembly, in relation to charges preferred by him against the Hon. Abner P. Powers, Judge of the Superior Court of the Macon Circuit, be referred to a Select Committee, to be appointed by the Speaker, consisting of one from each Judicial District, and that said committee be authorized to send for persons and papers if deemed necessary ; which, upon motion of Mr. Pottle, was taken up and agreed to.

The House then resumed the regular order of business, which was the consideration of the bill to be entitled an act to repeal an act, passed 9th January, 1852, entitled an act to levy and collect a tax for each of the political years 1852 and 1853, and thereafter, until repealed, and to repeal an act, supplementary to said act, approved 21st January, 1852, and to revive and continue in force an act, passed 22d February, 1850, entitled an act to levy and collect a tax for each of the political years 1850 and 1851, and thereafter.

Mr. Lamar moved to make the said bill the special order of Tuesday next,

Whereupon the yeas and nays were required to be recorded, and are : yeas 68. nays 30.

Those who voted in the affirmative are, Messrs.

Armstrong,	Hendrick,	W R. Smith,
Barnes,	Hood,	Wm. Smith,
Brown,	Hudson,	Stapleton,
Calloway,	Irwin,	Stephens,
Cameron,	Lamar,	J. Stewart,
Champion,	Linn,	Stokes,
Clark,	Masters,	Strickland,
Benj. Cleveland,	Maxwell,	Sweat,
W. C. Cleveland,	McComb,	J. Taylor,
Clements,	McCurdy,	D. W Taylor,
Cody,	McDonald,	Thornton,
Crawford,	McMullin,	Trice.
Crittenden,	McWhorter,	W. A. Walton,
Durden,	Mobley,	J. H. Walton,
Eberhart,	Moughon,	Walker,
Fannin,	Nichols,	H. L. Williams,
Green,	Pottle,	A. J. Williams,
W. P Harden,	Redding,	Williamson,
Harris,	R. A. Robinson,	Wilson,
Harralt,	N. Robinson,	Woodward,
Hardeman,	Rumph,	Young,
Hawkins,	Shewmake,	
Henderson,	Shine,	

Those who voted in the negative are, Messrs.

Adams,	Headen,	Poole,
Alread,	Holland,	Radford,
Bell,	Keith,	Rice,
Boatright,	Manor,	Riley,
Denham,	McDougald,	Staten,
Dial,	McGregor,	Turner,
Fields,	McLean,	West,
Gartrell,	McMillan,	Whitworth.
Gross,	Paris,	Williford,
James Hardin,	Pickett,	Yopp.

So the motion prevailed.

The following message was received from the Senate, by Mr. Moore, their Secretary, to wit :

*Mr. Speaker*—The Senate has passed the following bills, to wit :

A bill to be entitled an act to add a portion of Haber-

sham county to the county of Lumpkin, and to amend an act to add the tract of land known as Sherwood's Mill Tract, in Hall county, to the county of Gwinnett, approved 12th January. 1852.

On motion of Mr. Gross, the rule of the House was suspended, and the following bill of the Senate was taken up and read the first time, to wit :

A bill to be entitled an act to lay out and organize a new county from the county of Baker, and to attach the same to a Judicial, Congressional and Military District.

On motion of Mr. Young, the following bill was taken up, read the second time and referred to the Committee on Finance, to wit :

A bill to be entitled an act to appropriate money for the support of the Government, for each of the political years 1854 and 1855, and for other purposes therein specified.

On motion of Mr. Pottle, the rules of the House were suspended, and the House took up the report of the committee, on the bill to be entitled an act to divide the offices of Tax Collector and Receiver of Tax Returns, in the counties of Baker and Gwinnett.

Mr. Pottle moved to amend the caption, by striking out the word "and," and insert after Gwinnett the word "Pulaski," also, by striking out the word "and," in the body of the act, and inserting the word "Pulaski ;" which motion to amend was agreed to.

The report as amended, was agreed to. The bill was read the third time and passed.

On motion of Mr. Pottle, the Clerk was directed to convey the above bill to the Senate immediately.

The House then proceeded to the call of the counties, and the following bills were introduced and read the first time, to wit :

Mr. Dial reported

A bill to be entitled an act to compel the Justices of the Inferior Court, of Liberty county, to grant license to retail spirituous liquors.

Mr. Manor reported

A bill to be entitled an act for the relief of Martha Ann Smithwick, late Martha Ann Burdine.

Mr. Shewmake reported

A bill to be entitled an act for the building of a jail in the county of Burke.

Mr. Barnes reported

A bill to be entitled an act to remove an election precinct in the county of Columbia. Also,

A bill to be entitled an act to authorize the Tax Collector of Columbia county to pay the State Tax of said county, for the year 1854, to the Inferior Court of said county, for the purpose of building a new Court House in said county.

Mr. Pickett reported

A bill to be entitled an act to authorize Thomas D. Lewis, a minor, to transact business as though he was of age, and to legalize the same.

Mr. Paris reported

A bill to be entitled an act to protect the citizens of Dade county from the injurious consequences of cattle speculators driving stock through said county and spreading distempers to the destruction of the stock of the people living therein.

Mr. Pickett reported

A bill to be entitled an act to authorize the Justices of the Inferior Court, of the county of Gilmer, to lay off said county into School Districts.

Mr. Pickett offered the following resolution, to wit :

*Resolved*, That the two houses of this General Assembly convene in the Representative Hall, on Monday, the 9th day of January next, for the purpose of going into the election of a United States Senator, to fill the vacancy that will occur by the expiration of the term for which the Hon. William C. Dawson was elected.

Mr. Pickett made the following report :

The Special Committee, to whom was referred the bill to authorize the Governor to issue State Bonds to Rail Road Companies, upon certain conditions therein named, report that they have had the same under consideration and have directed me to report the same back to the House, without expressing an opinion on the subject.

Mr. McMillan reported

A bill to be entitled an act for the relief of John M. Wilhite, of the county of Jackson, and to appropriate to him a sum of money therein specified.

Mr. Phillips reported

A bill to be entitled an act more effectually to prevent trading with slaves and furnishing them with intoxicating liquors.

The Committee on Petitions reported back to the House the bill to be entitled an act for the relief of William Crowell and William C. Rousseau, of the county of De-Kalb, and asked for the favorable consideration of the House.

The following bills were introduced and read the first time, to wit:

Mr. Redding reported

A bill to be entitled an act for the relief of Donald McDonald, teacher of poor children, of the county of Monroe, for the years 1852 and 1853.

Mr. Mobley reported

A bill to be entitled an act to authorize the Poor School Commissioners of Harris county, to pay teachers for teach-

ing poor children entitled to the benefits of the Poor School Fund, in certain cases therein stated.

On motion of Mr. Smith of Liberty, the House took up the report of the committee, on the bill to be entitled an act to reduce the fees of the several Tax Collectors hereafter to be elected for the county of Liberty, and for other purposes therein named.

The report of the committee was agreed to. The bill was read the third time and passed.

The following bills were introduced and read the first time, to wit :

Mr. McDougald reported

A bill to be entitled an act to appropriate a sum of money therein specified—to authorize his Excellency the Governor to draw his warrant on the Treasury in favor of Drewry W. Taylor, of Houston county, for twenty-two dollars and ninety-six cents, for monies advanced to pay for advertising lands, and for commissions for selling the lands, under an act, approved December 30, 1847

Mr. Walton of Richmond, reported

A bill to be entitled an act to prevent the circulation in this State, of Bank notes, of a less denomination than five dollars, issued in any other State, and for other purposes.

Mr. Williams of Sumter, reported

A bill to be entitled an act to alter and amend so much of the Judiciary of this State as relates to the jurisdiction of Justices of the Peace of this State, and to extend the stay of executions.

Mr. Walton of Talbot, reported

A bill to be entitled an act to alter and amend the 2d Section of an act to lay out a new county from the county of Talbot, Macon and Marion, and to attach the same to a Senatorial District, approved January 1852.

Mr. Fannin reported

A bill to be entitled an act for the relief of Nancy S. Henderson.

Mr. Cody reported

A bill to be entitled an act to compensate the Grand and Petit Jurors, in certain counties therein named, and to provide for the payment of the same, approved January, 14th, 1852, so far as it relates to the county of Warren.

Mr. Pottle reported

A bill to be entitled an act to extend the provisions of an act entitled an act to amend the several acts now in force regulating the fees of Magistrates and Constables in the State of Georgia, so far as relates to the counties of Bibb, Richmond, Monroe and Lee, and to provide for the mode of collecting the same, approved January 22d, 1852, so far as to include in its provisions the county of Warren.

Mr. Brown reported



A bill to be entitled an act to change the name of Nancy Hightower, of Marion county, to that of Nancy N. Pitts.

Mr. Clark reported

A bill to be entitled an act for the relief of Clerks of the Superior and Inferior Courts, in certain cases, and to regulate the service by Sheriffs, of writs and process at common law.

Mr. McCurdy reported

A bill to be entitled an act to authorize John R. Osburn, of the county of Whitfield, to practice medicine in this State, and to charge and collect for the same.

Mr. Irwin reported

A bill to be entitled an act to amend the insolvent laws of this State.

On motion of Mr. Hendrick, the rules of the House were suspended, and the House took up the report of the bill of the Senate, to be entitled an act to abolish, change and establish new election precincts in counties hereinafter named.

Mr. Robinson, of Randolph, moved to amend by adding the following words, to wit: "Also the 954th District of Randolph county;" which was agreed to.

Mr. Williams, of Sumter, moved to amend further, by striking out the words, "Pondtown in Sumter county;" which was agreed to.

Mr. Bell, also moved to amend by striking out the words, "Stewart county," upon which motion, the yeas and nays were required to be recorded, and are: yeas 44, nays 48.

Those who voted in the affirmative are, Messrs.

Alread,	Linn,	Stapleton,
Armstrong,	Martin,	Staten.
Bell,	Maxwell,	Stephens,
Brown,	McCurdy,	Strickland,
Cameron,	McGregor,	Thornton,
Cody,	McMullin,	Turner,
Gross,	McWhorter,	W. A. Walton,
W. P. Harden,	Mobley,	J. H. Walton,
J. Hardin,	Paris,	Walker,
Harris,	Pickett,	H. L. Williams,
Hardeman,	Pottle,	A. J. Williams,
Hawkins,	Powers,	Williamson,
Henderson,	Reynolds,	Woodward,
Hood,	Riley,	Yopp.
Irwin,	Shewmake,	

Those who voted in the negative are, Messrs.

Adams,	W. C. Cleveland,	Crittender,
Andrews,	Clements,	Denham,
Benj. Cleveland,	Crawford,	Durden,

Dyal,	Mays.	Rumph,
Eberhart,	McDonald,	Shine,
Fannin,	McDougald,	G. K. Smith,
Fields,	McLean,	W. R. Smith,
Gartrell,	McMillan,	W Smith.
Hatton,	Moughon,	J. Stewart,
Headen,	Nichols,	Sweat,
Hendrick,	Phillips,	J Taylor,
Holland,	Poole,	D. W. Taylor,
Hudson,	Redding,	Trice,
Keith,	M. Reid,	West,
Manor,	Rice,	Whitworth,
Masters,	N. Robinson,	Young,

So the motion to amend, was lost.

Mr. Harrall moved to amend, by adding the following words, to wit : "And also to establish an election precinct at the usual place of holding Justices Courts in the 15th District, G. M., Pulaski county ;" which motion was agreed to.

Mr. Fannin moved to amend by adding the following words, to wit : "Also to establish an election precinct at O'Neal's mills in the county of Troup ;" which was agreed to.

Mr. McMullin also moved to amend, by adding the following words, to wit : "Also to establish an election precinct at the place of holding Justices Courts in 767th District G. M., Macon county ;" which was agreed to.

Mr. Thornton offered the following proviso, to wit : "That no election precinct shall be established in any Captain's or Magistrate's District where one now exists ; upon which proviso, the yeas and nays were required to be recorded, which are : yeas 43, nays 46.

Those who voted in the affirmative are, Messrs.

Alread,	Martin,	Stephens,
Andrews,	Maxwell,	Strickland,
Armstrong,	McCurdy,	J. Taylor,
Barnes,	McDonald,	Thornton,
Bell,	McGregor,	Turner,
Brown,	McMullin,	J. H. Walton,
Cameron,	McWhorter,	W A. Walton,
Cody,	Mobley,	Walker,
Durden,	Paris,	A. J. Williams,
Fannin,	Pottle,	Williamson,
Gross,	Powell,	Wilson,
W P Harden,	Riley,	Woodward,
J. Hardin,	Shewmake,	Yopp.
Harris,	Stapleton,	
Hardeman,	Staten,	

Those who voted in the negative are, Messrs.

Adams,	Hendrick,	M. Reid,
Benj. Cleveland,	Hudson,	Rice,
W. C. Cleveland,	Keith,	N. Robinson,
Clements,	Linn,	Rumph,
Crawford,	Masters,	Shine,
Crittenden,	Manor,	G. K. Smith,
Denham,	Mays,	W. Smith,
Dial,	McDougald,	J. Stewart,
Eberhart,	McLean,	Sweat,
Fields,	McMillan,	D. W. Taylor,
Green,	Moughon,	Trice,
Hatton,	Phillips,	West,
Hawkins,	Pickett,	Whitworth,
Headen,	Poole,	H. L. Williams,
Henderson,	Redding,	Young,

So the motion was lost.

Mr. Cody moved that the House do now adjourn ; upon which motion, the yeas and nays were required to be recorded, and are, yeas 12, nays 78.

Those who voted in the affirmative are, Messrs.

Bell,	Harris,	Shewmake,
Brown,	Irwin,	Thornton,
Cody,	Pottle,	A. J. Williams,
W. P. Harden,	Redding,	Woodward,

Those who voted in the negative are, Messrs.

Adams,	Eberhart,	Masters,
Alread,	Fields,	Manor,
Andrews,	Gross,	Mays,
Armstrong,	J. Hardin,	McCurdy,
Barnes,	Harrall,	McDonald,
Boatright,	Hatton,	McDougald,
Cameron,	Hardeman,	McGregor,
Champion,	Hawkins,	McLean,
Benj. Cleveland,	Headen,	McMullin,
W. C. Cleveland,	Henderson,	McMillan,
Clements,	Hendrick,	McWhorter,
Crawford,	Hood,	Moughon,
Crittenden,	Holland,	Nichols,
Denham,	Hudson,	Paris,
Durden,	Keith,	Phillips,
Dial,	Martin,	Pickett,

Poole,	Stapleton,	W. A. Walton,
Radford,	Staten,	J. H. Walton,
M. Reid,	Stephens,	Walker,
Rice,	J. Stewart,	West,
Riley,	Stokes,	Whitworth,
N. Robinson,	Strickland,	H. L. Williams,
Rumph,	Sweat,	Williamson,
Shane,	J. Taylor,	Wilson,
G. K. Smith,	D. W. Taylor,	Young.
W. R. Smith,	Trice,	
Wm. Smith,	Turner,	

So the motion to adjourn, was lost.

The following message was received from the Senate by Mr. Moore, their Secretary :

*Mr. Speaker*—I am instructed by the Senate, to inform the House of Representatives, that they have receded from their amendment of the bill of the House, entitled an act to incorporate the McDonough Collegiate Seminary, and to give the Commissioners of the incorporation of the town of McDonough power to pass and enforce such bye-laws and regulations as are necessary for the government thereof, in which the House refused to concur.

Mr. Turner moved, that the House do now adjourn ; which motion was lost.

The House then resumed the consideration of the foregoing bill.

Mr. Barnes moved to amend, by adding the following words, to wit : "Also that the precinct at Rosseau Spring, in the 8th district of Columbia county, to A. T. Candler's Store at Raysville, 10th district of said county. Also to establish an election precinct at Fishdam Ford on Broad river, at the house of Thomas J. Bullard, in the county of Elbert ;" which motion to amend, was agreed to.

Mr. Bell moved to amend, by adding the following words, to wit : "Also that an election precinct be established at every man's house in Stewart county ;" which motion was lost.

Mr. Smith, of Liberty, also moved to amend, by adding the following words, to wit : "Also to establish an election precinct at the house of Lewis Smith, in the county of Liberty ;" which was agreed to.

Mr. Powers also moved to amend, by striking out the words, "Western Mills," and inserting in lieu thereof, the words, "Emanuel Crawfords' residence, in the 10th District of Effingham county ;" which was agreed to.

The report as amended, was agreed to ; the bill as amended, was read the third time and passed.

Mr. McDougald then moved that the House do now ad-

jour until 10 o'clock, to-morrow morning on account of the inclemency of the weather.

Whereupon, the yeas and nays were required to be recorded, and are : yeas 43, nays 48.

Those who voted in the affirmative are, Messrs.

Adams,	Harris,	Pottle,
Armstrong.	Harrall	Powers,
Barnes,	Hardeman,	Redding,
Bell,	Hawkins,	Riley,
Brown,	Hood.	Shewmake,
Clark,	Holland,	Shine,
W. C. Cleveland,	Irwin,	G. K. Smith,
Cody,	Martin,	Stapleton,
Crittenden,	Maxwell,	Stephens,
Denham,	Mays,	West.
Durden,	McDougald,	A. J. Williams,
Dial,	McMullin,	Wilson,
Fannin,	McWhorter,	Woodward,
Green,	Moughon,	
W. P. Harden,	Pickett,	

Those who voted in the negative are, Messrs.

Alread.	Manor,	Strickland,
Boatright,	McCurdy,	Sweat,
Cameron,	McLean,	J. Taylor,
Champion,	Mobley,	D. W. Taylor,
Clements,	Nichols,	Thornton,
Eberhart,	Paris,	Trice,
Fields,	Phillips.	Turner,
Gross,	Radford,	W. A. Walton.
J. Hardin,	M. Reid,	J. H. Walton,
Hatton,	Rice,	Walker,
Hamilton,	N. Robinson.	Whitworth,
Headen,	Rumph,	H. L. Williams,
Henderson,	W. R. Smith,	Williamson,
Hendrick,	W. Smith,	Young,
Hudson,	Staten,	Yopp.
Keith,	J. Stewart,	
Masters,	Stokes,	

So the motion was lost.

The Speaker appointed the following committee on the memorial of the Hon. James J. Scarborough, impeaching the Hon. Abner P. Powers, to wit :

Green, of the Macon Circuit.

Lamar, of the Flint Circuit.  
 Irwin, of the Northern Circuit.  
 McDougald, of the Chattahoochee Circuit.  
 Hamilton, of the Eastern Circuit.  
 Walker, of the Middle Circuit.  
 Smith of DeKalb, of the Coweta Circuit.  
 Gartrell, of the Blue Ridge Circuit.  
 Harden of Clark of the Western Circuit.  
 McCurdy, of the Cherokee Circuit.  
 Armstrong, of the Cumulgee Circuit.  
 Yopp, of the Southern Circuit.  
 Robinson of Randolph, of the South Western Circuit.  
 Mr. McDougald moved to adjourn until half past nine  
 o'clock to-morrow morning.

Whereupon the yeas and nays were required to be recorded, and are : yeas 47, nays 43.

Those who voted in the affirmative are, Messrs.

Andrews,	Harris,	Pickett,
Armstrong,	Harrall,	Poole,
Barnes,	Hardeman,	Pottle,
Bell,	Hawkins,	Powers,
Brown,	Holland,	Redding,
Clark,	Irwin,	Riley,
W C. Cleveland,	Martin,	Shine,
Cody,	Maxwell,	G. K. Smith,
Crawford,	McCurdy,	Stapleton,
Crittenden,	McDougald,	Stephens,
Dawson,	McMullin,	J. H. Walton,
Denham,	McMahan,	A. J. Williams.
Durden,	McWhorter,	Wilson,
Fannin,	Mobley,	Woodward,
Green,	Moughon,	Yopp,
W P Harden,	Paris,	

Those who voted in the negative are, Messrs.

Adams,	Hatton,	Nichols,
Airead,	Headen,	Phillips,
Boatright,	Henderson,	Radford,
Cameron,	Hendrick,	Rice,
Benj. Cleveland,	Hudson,	M. Reid,
Clements,	Keith,	N. Robinson,
Dial,	Manor,	W R. Smith,
Eberhart,	McDonald,	W Smith,
Fields,	McGregor,	Staten,
Gross,	McLean,	Stokes,

Strickland,	Trice,	Whitworth,
Sweat,	Turner,	Williamson,
J. Taylor,	W A. Walton,	Young,
D. W Taylor,	Walker,	
Thornton,	West,	

So the motion to adjourn prevailed, the House then adjourned until half past nine o'clock to-morrow morning.

## SATURDAY, DECEMBER 10th, 1853.

The House met pursuant to adjournment.

Mr. Bell moved to reconsider so much of the Journal of yesterday, as relates to the refusal of the House to agree to his motion, to strike out the words, 'Stewart county,' from the bill of the Senate, to establish alter and change certain election precincts.

Whereupon, the yeas and nays were required to be recorded, and are : yeas 56, nays 36.

Those who voted in the affirmative are, Messrs.

Alread,	Hood,	W Smith,
Armstrong,	Holland,	Stapleton,
Barnes,	Irwin,	Stephens,
Bell,	Martin,	L. S. Stewart,
Bostwick,	McCurdy,	Strickland,
Brown,	McWhorter,	J. Taylor,
Cameron,	Paris,	Thornton,
Carlton,	Phillips,	Turner,
Champion,	Pickett,	W A. Walton,
Benj. Cleveland,	Poole,	J. H. Walton,
Cody,	Pottle,	Walker,
Eberhart,	Powers,	H. L. Williams,
Fannin,	Radford,	A. J. Williams,
Gartrell,	Redding,	Williamson,
W. P Hardin,	Reynolds,	Wilson,
James Hardin,	Richardson,	Williford,
Harrall,	Riley,	Woodward,
Hardeman,	R. A. Robinson,	Young,
Headen,	Shewmake,	

Those who voted in the negative are, Messrs.

Adams,	Boatright,	Clements,
Andrews,	W C. Cleveland,	Crawford,

Crittenden,	Keith,	Rice,
Denham,	Linn,	N. Robinson,
Dial,	Masters,	Rumph,
Fields,	Manor,	Shine,
Green,	Mays,	W. R. Smith.
Hatton,	McDonald,	J. Stewart,
Hawkins,	McDougald,	Sweat,
Henderson,	McLean,	D. W. Taylor,
Hendrick,	Nichols,	West,
Hudson,	M. Reid,	Whitworth.

So the motion to reconsider was agreed to.

On motion, leave of absence was granted to Messrs. Harris and Smith of Liberty, for a few days, on special business.

On motion of Mr. Yopp, the rules of the House were suspended, and the following Senate bill was taken up, read the second time, and made the special order of the day, for Monday next, to wit :

A bill to be entitled an act to lay out and organize a new county from the county of Baker, and to attach the same to a Judicial, Congressional and Military District.

On motion, leave of absence was granted to Mr. Dial, for a few days on special business.

On motion of Mr. Cleveland of Habersham, the rules of the House were suspended, and the following bill of the Senate was taken up and read the first time, to wit :

A bill to be entitled an act to add a portion of Habersham county to the county of Lumpkin, and to amend an act to add the tract of land known as Sherwood's Mill tract, in Hall county, to the county of Gwinnett, approved January 12th, 1852.

On motion of Mr. McDougald, the rules of the House were suspended, and the following bill was taken up, read the second time, and made the special order of the day for Monday next, to wit :

A bill to be entitled an act for the relief of Nancy S. Henderson.

Mr. Gartrell, from the Committee on Enrolment, reported the following bill as duly enrolled, to wit :

An act to incorporate the McDonough Collegiate Seminary, and to give the Commissioners of the incorporation of the town of McDonough, that shall hereafter be elected full power and authority to pass and enforce all such bye-laws and ordinances, as they in their judgment may believe necessary to guard the interest of the citizens, residing in the corporate limits of said town of McDonough, and to insure the permanent prosperity of said Institution.



On motion of Mr. Gross, the rules of the House were suspended.

The House took up the report of the Committee upon the bill to be entitled an act to reduce the Sheriffs' bonds of the Sheriffs, hereafter to be elected in the county of Scriven, from ten thousand dollars, to the sum of five thousand dollars.

The report was agreed to. The bill was read the third and passed under the title thereof.

On motion of Mr. Stewart of Hancock, the rules of the House were suspended, to take up the following resolution, to wit:

*Whereas*, There is an immense accumulation of business before the present Legislature, and *whereas*, the closing of the present session thereof at the usual time, would necessarily bring about hasty and inconsiderate legislation, which will be wrong in itself, and unjust to the people; and *whereas*, it is important to the interest of the State and people, that the legislation necessary should be had, and the growing prosperity of the State requires that more time should be consumed in legislation.

*Be it therefore resolved*, That the Senate and House of Representatives of the State of Georgia, in General Assembly met, do take a recess from and after the 17th inst. and meet again on the second Monday in January next.

Mr. Stapleton moved to strike out the words, "the 17th instant;" which was agreed to.

Mr. Hardeman moved to fill the blank with the words, "the tenth of January next;" which motion was lost.

Mr. Stapleton moved to fill the blank with the words, "the 21st instant;" which was agreed to.

Mr. Young moved to lay the original resolution and amendments on the table for the balance of the session.

Whereupon the yeas and nays were required to be recorded, and are: yeas 35, nays 59.

Those who voted in the affirmative are, Messrs

Adams,	Hawkins,	Paris,
Alread,	Headen,	Phillips,
Boatright,	Henderson,	M. Reid,
Carlton,	Hudson,	Reynolds,
Benj. Cleveland,	Keith,	J. C. Smith,
Clements,	Linn,	W. R. Smith,
Crawford,	Martin,	J. Stewart,
Durden,	Masters,	J. Taylor,
Fields,	Manor,	Turner,
Gartrell,	Mays,	Whitworth,
Green,	McGregor,	Young,
Hardeman,	McLean,	

Those who voted in the negative are, Messrs.

Andrews,	McCurdy,	Stapleton,
Barnes,	McDougald,	Staten,
Bell,	McMillan,	Stephens,
Bostwick,	McWhorter,	L. S. Stewart,
Brewn,	Mobley,	Strickland,
Calloway,	Nichols,	D. W. Taylor,
Cameron,	Pickett,	Thornton,
Clark,	Poole,	Trice,
W. C. Cleveland,	Pottle,	W. A. Walton,
Cody,	Powell,	J. H. Walton,
Crittenden,	Powers,	Walker,
W. P. Harden,	Radford,	West.
James Hardin,	Redding,	H. L. Williams,
Harrall,	Richardson,	A. J. Williams,
Hatton,	Riley,	Williamson,
Hendrick,	R. A. Robinson,	Wilson,
Hood,	Rumph,	Williford,
Holland,	Shewnake,	Woodward,
Irwin,	Shine,	Yopp.
Lamar,	W. Smith,	

So the motion was lost.

Mr. McDougald offered the following proviso, to wit :

*Provided*, That no member shall receive his per diem pay, or any officer of the Legislature during said recess ; which was agreed to.

Mr. Gartrell offered an amendment, which the Speaker declared out of order.

Whereupon, Mr. Gartrell appealed from the decision of the Chair, and upon the question, " Shall the decision of the Chair be the judgment of the House ? " the same was decided in the affirmative.

Mr. McDougald moved the following amendment, to wit : " nor shall any member receive any mileage in going home or returning back, during said recess ; " which was agreed to.

The question then recurred upon the adoption of the original resolution as amended.

Whereupon, the yeas and nays were required to be recorded, and are : yeas 62, nays 36.

Those who voted in the affirmative are, Messrs.

Andrews,	Brown,	W. C. Cleveland,
Barnes,	Calloway,	Cody,
Bell,	Cameron,	Crittenden,
Bostwick,	Clark,	Denham,

Durden,	Powell,	Stokes,
Fannin.	Powers,	Strickland,
W P Harden,	Ratford,	Thornton,
Harrall,	Redding,	Trice,
Hendrick,	Rice,	W A. Walton,
Hood,	Richardson,	J. H. Walton,
Irwin,	Riley,	Walker,
Lamar,	R. A. Robinson,	West,
McCurdy,	N. Robinson,	H. L. Williams,
McDougald,	Rumph,	A. J. Williams,
McMillan,	Shewmake,	Williamson,
McWhorter,	Shine,	Wilson,
Mobley,	W Smith,	Williford.
Nichols,	Stapleton,	Woodward,
Pickett,	Staten,	Yopp.
Poole,	Stephens,	
Pottle,	L. S. Stewart,	

Those who voted in the negative are, Messrs.

Adams,	Green,	McGregor,
Alread,	Hatton,	McLean,
Armstrong,	Hardeman,	Paris,
Carlton,	Hawkins,	Phillips,
Champion,	Headen,	M. Reid,
Benj. Cleveland,	Hudson,	Reynolds,
Clements,	Keith,	W R. Smith.
Crawford,	Linn,	J. Stewart,
Dial,	Martin,	J. Taylor,
Eberhart,	Masters,	Turner,
Fields,	Manor,	Whitworth,
Gartrell,	Mays,	Young.

So the resolution as amended was adopted.

On motion, the Clerk was then directed to transmit the resolution to the Senate, immediately.

Mr. Martin moved to suspend the rules, to take up a bill for a second reading; which motion was lost.

The House then resumed the regular order of business, which was the reading of bills for the third time.

The House took up the report of the Committee on the bill to be entitled an act to incorporate the Eatonton and Monticello Rail Road.

Mr. Redding offered the following proviso, as an amendment, to wit :

*Provided*, That the said Rail Road Company shall pay for all stock and other property destroyed or damaged by said Company, for and on account of the running of the lo-

comotives or cars on said Road, and for all damages sustained by any individual or his heirs at law, for and on account of any damage done said individual, by the running of the said cars and locomotives on said Rail Road, whether death may accrue or no : *Provided*, said damages was not the fault of the individual so damaged, if so, said Company shall not be bound for the same, upon the proof by them of the fact ; which amendment was agreed to, and the bill, with the amendments, was read the third time and passed under the title thereof.

The House then took up the report of the committee on the bill to be entitled an act to change the names of Amos Lingerfelt, Alfred Lingerfelt, and Mary Lingerfelt, to Amos Young, Alfred Young and Mary Young.

Mr. Crawford offered the following amendment :

*And be it further enacted by the authority aforesaid*, That the name of William Benjamin Franklin Farmer be, and the same is hereby changed to that of William Benjamin Franklin Towers, and that he be made the heir of Larkin Towers, of Cass county ; which was agreed to.

Mr. Reynolds moved to amend, by adding the following section

*Be it further enacted by the Senate and House of Representatives*. That from and after the passage of this act, the name of Martha Groff shall be changed to that of Martha Thompson, his adopted daughter, and she is hereby made capable in law, to inherit the estate of William Thomson of Newton county, as though she had been his legal and lawful heir ; which was agreed to.

Mr. Hardeman moved to amend by adding the following section :

*Be it further enacted*, That the name of Laura Ann Harvey of the county of Bibb be, and the same is hereby changed to the name of Laura Ann Brown ; and the said Laura Ann is hereby declared legitimized. and made capable of inheriting any real, or personal estate, of Frederick Brown of said county, her reputed father, as fully and completely as if born in wedlock ; which was agreed to.

The House then took up the report of the committee on the bill to be entitled an act to alter and amend the 5th Section of an act to regulate the weighing of cotton, or other commodities in this State, approved Dec. 8, 1806.

Mr. Fannin offered the following substitute for said bill: A bill to be entitled an act to alter and amend the 5th Section of an act to regulate the weighing of cotton and other commodities in this State, approved Dec. 8, 1806.

SEC. 1. Be it enacted by the Senate and House of Representatives of the State of Georgia, and it is hereby enacted by the authority of the same, that from and after the passage of this act, the 5th Section of an act to regulate the weighing of

cotton and other commodities in this State, approved December 8th, 1806, shall be altered and amended so as to read as follows : It shall not be lawful for any scalesman, or other person, in any of the cities, towns, villages, rail road stations, or depots in this State, to weigh any bale, bag or package of cotton, tierce or half tierce of rice, box or barrel of indigo, or any other article or produce, disposed of by weight, without first taking and subscribing the following oath, before some one of the Justices of the Interior Court or Justices of the Peace of said counties, or any other person authorized by law to administer an oath : " I, A. B. do solemnly swear, or affirm, (as the case may be) that I will justly, impartially, and without deduction for wet or other cause, weigh all bales, bags or packages of cotton, tierces or half tierces of rice, boxes or barrels of indigo, and any other article or produce disposed of by weight, that may be brought to me for that purpose, and mark the true weight thereon, without any deduction whatever, and render a true and accurate account thereof to the parties concerned, if so required, so help me God." This act to take effect on and after the 1st day of September, 1854.

The substitute was agreed to. The report of the committee, as amended, was agreed to ; the bill, as amended, was read the third time and passed.

The House went into Committee of the Whole upon the bill to be entitled an act for the relief of Martha Ann Greeson, relic of Paschal C. Greeson, late of the county of DeKalb ; and also for the relief of Emmet Paschal, only child of said deceased, Mr. Mobley in the chair. The committee arose, and Mr. Mobley reported the bill back to the House with an amendment.

Mr. Walker moved to lay the bill on the table ; upon which motion, the yeas and nays were required to be recorded, and are : yeas 58, nays 37.

Those who voted in the affirmative are, Messrs.

Adams,	Fields,	McGregor,
Alread,	Gartrell,	M Lean,
Armstrong,	Green	M Whorter,
Barnes,	Hardeman,	Nichols,
Bell,	Hawkins,	Phillips,
Bostwick,	Headen,	Powell,
Boatright,	Henderson,	Rice,
Calloway,	Hudson,	Riley,
Cameron,	Irwin,	R. A. Robinson,
Champion,	Martin,	N. Robinson,
Benj. Cleveland,	Masters,	Rumph,
Denham,	Manor,	Shine,
Durden,	Mays,	J. C. Smith,

W. R. Smith,	D. W. Taylor,	Whitworth,
Staten,	Thernton,	Williamson,
Stephens,	Trice,	Williford,
J. Stewart,	W. A. Walton,	Woodward,
Strickland,	J. H. Walton,	Young,
J. Taylor,	Walker.	Yopp.

Those who voted in the negative are, Messrs.

Andrews,	Holland,	M. Reid,
Carlton,	Liun.	Reynolds,
W. C. Cleveland,	McCurdy,	Richardson,
Clements,	McDonald,	Shewmake,
Cody,	McDougald,	Stapleton,
Crawford,	McMillan,	L. S. Stewart,
Crittenden,	Mobley,	Stokes,
Eberhart,	Paris,	West,
W. P. Harden,	Poole,	H. L. Williams,
James Hardin,	Pottle,	A. J. Williams,
Harrall,	Powers,	Wilson,
Hatton,	Radford,	
Hood,	Redding,	

So the motion to lay on the table was agreed to.

The House then took up the report of the committee on the following bills. The report was agreed to ; the bills were read the third time and passed, to wit :

A bill to be entitled an act to amend an act entitled an act to change the names and legitimize the persons therein named, and for other purposes, approved January 21, 1852, and for other purposes therein named.

A bill to be entitled an act to authorize certain commissioners in the city of Columbus, Ga., to raise by lottery the sum of \$10,000.

On motion, Mr. Trice was granted leave of absence for a few days, on special business.

On motion of Mr. Alread, the House adjourned until 3 o'clock this evening.

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### THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

The following bill of the Senate was taken up and read the third time to wit :

A bill to be entitled an act to change the the time of holding the Superior Court of Taylor county.

On motion of Mr. Young, the rules of the House were suspended, and the following bill was taken up, read the second time, and on motion of Mr. Young, was referred to the Committee on Education, to wit :

A bill to be entitled an act to establish a general system of education in the State, and for other purposes.

The House then proceeded to the regular order of the day, and the following bill of the Senate was taken up and read the first time :

A bill to be entitled an act to extend the provisions of the act to abolish the right of survivorship in joint tenants in this State.

On motion of Mr. Walker, the following bill was taken up, read the second time, and referred to the Committee on Public Printing.

A bill to be entitled an act to amend the several acts of the General Assembly, in regard to the election of Public Printer, and more particularly to prescribe the duties, liabilities and compensation of said officer, and for other purposes.

On motion of Mr. Walker, one hundred and fifty copies of the foregoing bill, were ordered to be printed for the use of the House.

Leave of absence was granted to Mr. Hendrick for a few days, on special business.

On motion of Mr. Phillips, leave of absence was granted to the Committee on Finance, for the balance of the afternoon ; also, to the committee on the memorial of Jas. J. Scarborough, Esq., praying an impeachment of the Hon. Abner P. Powers.

The following bills of the Senate were taken up and read the first time, to wit :

A bill to be entitled an act to add an additional Section to the 1st Article of the Constitution.

A bill to be entitled an act for the relief of William Taylor, of Macon county.

A bill to be entitled an act to compensate Grand and Petit Jurors of the county of Habersham.

A bill to be entitled an act for the relief of Mary Roberts of the county of Hall.

A bill to be entitled an act for the relief of Angelique E. Levy, wife of Isaac Levy of Richmond county.

A bill to be entitled an act to add a part of the county of Jackson to the county of Madison, so as to include the residence of James M. Sailors, in the county of Madison.

A bill to be entitled an act to alter and change so much of the 7th Section of the act entitled an act to carry into effect the amended Constitution of this State, in reference to the Ordinaries of said State, and for other purposes, so far as relates to the county of Liberty.

A bill to be entitled an act to alter and change the times of holding the Superior Courts for the counties of Meriwether and Laurens, and regulate the same, and to change the sessions of the Court of Common Pleas of Augusta.

A bill to be entitled an act to amend an act to authorize all free white citizens of the State of Georgia, and such others as they may associate with them, to prosecute the business of manufacturing, with corporate powers and privileges, passed the 22d day of December, 1847, so far as the Penfield Steam Mill Company, in the county of Greene, is concerned, and to incorporate the said company, and to grant said company certain privileges.

A bill to be entitled an act to lay out and organize a new county from the counties of Dooly and Irwin, and to attach the same to a Judicial and Congressional District, and to provide the location of a county site in such new county.

A bill to be entitled an act to amend the 1st Section of the 3d Article of the Constitution of the State of Georgia.

A bill to be entitled an act for the relief of James Morris of Randolph county.

A bill to be entitled an act to authorize Justices of the Peace of Camden county, to hold land courts.

A bill to be entitled an act to add one additional Section to the 14th Division of the Penal Code of this State.

A bill to be entitled an act to make guardians, administrators, by virtue of their office.

A bill to be entitled an act to authorize any three Justices of the Interior Court, or Justices of the Peace, to hold land courts.

A bill to be entitled an act to compensate the Grand and Petit Jurors of Pike, Murray and other counties, and the Petit Jurors of certain counties; and an act amendatory of other acts for the payment of Grand and Petit Jurors of certain counties therein named.

A bill to be entitled an act to incorporate the Greensboro Female College, in the county of Green, and to appoint Trustees for the same, and to authorize the trustees of Greensboro Female Academy to convey by deed the Academy lot, in the town of Greensboro.

A bill to be entitled an act to grant certain exemptions to the Liberty Independent Troop and Liberty Guards, of the 1st Squadron, 1st Division, of Georgia Militia.

A bill to be entitled an act to repeal a certain portion of an act entitled an act to prevent the killing of deer, at certain periods of the year in the county of Carroll.

A bill to be entitled an act to grant corporate powers and privileges to Madison Steam Mill Company.

A bill to be entitled an act to amend an act entitled an act, to authorize the raising and establishing a Fire Compa-



ny, in the city of Atlanta, and, also, to incorporate the same, to be known by the name and style of the Atlanta Fire Company, No. 1., and to grant them certain privileges and exemptions.

A bill to be entitled an act to provide for furnishing the Superintendents of certain elections, blank forms for making out their returns.

A bill to be entitled an act to authorize the Chief Engineer of the Western and Atlantic Rail Road, to pay negro Ransom compensation for his own services.

A bill to be entitled an act to incorporate the Eatonton and Covington Rail Road Company.

A bill to be entitled an act to incorporate Fletcher Institute.

A bill to be entitled an act to repeal an act, assented to on the 22d of January, 1852, amendatory of the road laws of this State, so far as relates to the county of Baldwin.

On motion of Mr. Harrall, the rules of the House were suspended, and the following bill was taken up, read a second time, and ordered to be committed for a third reading, to wit :

A bill to be entitled an act for the relief of Matthew Grace, and Thomas Thompson, of the county of Pulaski.

On motion of Mr. Walker, the rules of the House were suspended, and the House took up the report of the Committee, on the bill to be entitled an act to repeal an act entitled an act to repeal an act entitled an act to consolidate the offices of Receiver of Tax Returns and Tax Collectors of the State, so far as relates to the county of Decatur, passed the 2d day of December, 1841, and to provide for the election in future of one Tax Collector and one Tax Receiver separately, in said county of Decatur, as provided for by the general laws of this State in such cases ; which report was agreed to, and the bill was read the third time and passed, under the title thereof.

On motion of Mr. Masters, the rules of the House were suspended, and the following bills of the Senate were taken up, and read the second time, and made the special order for Monday next, to wit :

A bill to be entitled an act to lay out and organize a new county from the county of DeKalb, and for other purposes therein specified. Also,

A bill to be entitled an act for the relief of William A. Clements. Also,

A bill to be entitled an act for the relief of the stockholders in the Ruckersville Banking Company

On motion of Mr. Fannin, the rules of the House were suspended, and the following bill was taken up, read the second time, and ordered to be referred to a Special Committee, to wit :

A bill to be entitled an act for the relief of Benjamin H. Cameron, of Troup county.

Whereupon, the Chair appointed the following gentlemen on that Committee, to wit : Messrs. Fannin, Lamar, and Walker.

On motion of Mr. Cleveland of Habersham, the rules of the House were suspended, to allow him to introduce the following bill ; which was read the first time, to wit :

A bill to be entitled an act to define the liability of rent to levy and sale, and to protect the rights of owners of land in this State.

On motion of Mr. Shewmake, the rules of the House were further suspended, to allow him to introduce the following bill, to wit :

A bill to be entitled an act to incorporate certain churches herein named, and to appoint Trustees for the same.

On motion of Mr. Walker, the rules were further suspended, and the House took up the report of the Committee, on the bill to be entitled an act to alter the line between the counties of Union and Lumpkin.

The report was agreed to, and the bill was read the third time and passed, under the title thereof.

The House then proceeded to the regular order, to wit : The reading of bills of the Senate the first time.

The following bill was taken up and read the first time, to wit :

A bill to be entitled an act to incorporate the town of Carnesville, in the county of Franklin, and to appoint Commissioners for the same, and to repeal all laws heretofore passed, for the government of said town.

On motion of Mr. Masters, the House adjourned until half past 9 o'clock, Monday morning.

### MONDAY, DECEMBER 12th, 1853.

The House met pursuant to adjournment.

Mr. Pottle moved to reconsider so much of the journals of Saturday as relates to the rejection of the bill to be entitled an act for the relief Martha Ann Greeson and Emmet Greeson.

Whereupon the yeas and nays were required to be recorded, and are , yeas 39, nays 50.

Those who voted in the affirmative are, Messrs.

Carlton,  
Clark,  
Cody,

Crawford,  
Dial,  
Eberhart,

Gartrell,  
Gross,  
W. P. Harden,

Harrison,	Moody,	L. S. Stewart,
Hawkins,	Paris,	Stokes,
Irwin,	Pickett,	Strother,
Keith,	Poole,	Turner,
Linn,	Pottle,	H. L. Williams,
McComb,	Powers,	A. J. Williams,
McCurdy,	Reynolds,	Williamson,
McGregor,	Shewmake,	Wilson,
McMillan,	W. Smith,	Woodward,
McWhorter,	Stapleton,	Yopp.

Those who voted in the negative are, Messrs.

Adams,	Headen,	Rumph,
Alread,	Henderson,	Shine,
Armstrong,	Hood,	J. C. Smith,
Barnes,	Holland,	W. R. Smith,
Bell,	Hudson,	Staten,
Bostwick,	Martin,	Stephens,
Boatright,	Masters,	J. Stewart,
Brown,	Manor,	Strickland,
Calloway,	Mays,	Sweat,
Cameron,	McDonald,	D. W. Taylor,
Benj. Cleveland,	McLean,	J. H. Walton,
W. C. Cleveland,	Nichols,	Walker,
Crittenden,	Radford,	West,
Dawson,	G. R. Reid,	Whitworth,
Denham,	M. Reid,	Williford,
Fields,	Rice,	Young,
Hatton,	Riley,	

So the motion to reconsider was lost.

Mr. Irwin moved to reconsider so much of the journals of Saturday as relates to the passage of the bill to be entitled an act to authorize certain commissioners in the city of Columbus, Ga., to raise by lottery the sum of ten thousand dollars.

Whereupon the yeas and nays were required to be recorded, and are : yeas 50, nays 51.

Those who voted in the affirmative are Messrs.

Alread,	Carlton,	Cody,
Armstrong,	Champion,	Crawford,
Bell,	Clark,	Fannin,
Bostwick,	Benj. Cleveland,	Fields,
Boatright,	W. C. Cleveland,	Green,
Cameron,	Clements,	W. P. Harden,

Haynie,	McWhorter,	W. Smith,
Harrison,	Nichols,	Stephens,
Harrall,	Pickett,	Strickland,
Hatton,	Pottle,	Strother,
Headen,	Powell,	Sweat,
Hood,	Reynolds,	Turner,
Holland,	Riley,	W. A. Walton,
Irwin,	Rumph,	Walker,
Martin,	Shewmake,	Whitworth,
Masters,	J. C. Smith,	Williford,
McMillan,	W. R. Smith,	

Those who voted in the negative are Messrs.

Adams,	McComb,	Shine,
Andrews,	McCurdy,	Stapleton,
Barnes,	McDonald,	Staten,
Brown,	McDougald,	L. S. Stewart,
Calloway,	McLean,	J. Stewart,
Crittenden,	Mobley,	Stokes,
Dawson,	Moody,	J. Taylor,
Denham,	Moughon,	D. W. Taylor,
Durden,	Paris,	Thornton,
Eberhart,	Phillips,	J. H. Walton,
Gartrell,	Poole,	West,
Griffin,	Radford,	H. L. Williams,
Henderson,	G. R. Reid,	A. J. Williams,
Latham,	M. Reid,	Wilson,
Linn,	Rice,	Woodward,
Manor,	Richardson,	Young,
Mays,	N. Robinson,	Yopp.

So the motion to reconsider was lost.

On motion of Mr. Green, the rules of the House were suspended, to allow him to introduce the following resolution, to wit :

*Resolved,* That the committee on the memorial of James J. Scarborough, preferring charges against Abner P. Powers, as Judge of the Macon Circuit, be authorized to employ a clerk and messenger for that body.

On motion of Mr. McDougald the foregoing resolution was taken up and agreed to.

A communication was received from Lewis Zachry, Principal Keeper of the Penitentiary, proposing to lease said institution for six years, without cost to the State, provided an appropriation of ten thousand dollars shall be made, to put the institution in proper condition ; which communication, on motion of Mr. Shewmake, was referred to the Committee on the Penitentiary.

A Petition from W. W. & F. D. Ross, praying the Legislature to remit certain amounts of tax paid by them on capital invested in steam mills, was presented and read.

Upon motion of Mr. McComb, the petition was referred to a Select Committee, consisting of Messrs. McComb, Taylor of Wilkinson, Robinson of Washington, McDougald and Walker.

On motion of Mr. Turner, the rules of the House were suspended, to allow him to introduce the following bill, to wit ;

A bill to be entitled an act to authorize the Treasurer to make certain advances ; which was read the first time.

On motion of Mr. Walker, the rules of the House were suspended, and the following bill was introduced and read the first time, to wit :

Mr. Walker reported

A bill to be entitled an act for the encouragement and promotion of Agriculture, and to allow persons owning lands on creeks or rivers to dyke or embank the same, to secure them from overflow by freshets, provided the improvements shall be made upon their own lands.

On motion, the rules of the House were suspended, and Mr. Harrison presented a memorial from C. A. L. Lamar and C. S. Harris, calling the attention of the Legislature to a resolution, passed by the City Council of Savannah, appointing a committee to memorialize the Legislature of Georgia to pass an act to prevent vessels from sailing hence with cargoes of free negroes, under the regulations of the Colonization Society.

On motion of Mr. Harrison, the petition was referred to the Judiciary.

The following message was received from the Senate through their Secretary, Mr. Moore, to-wit :

*Mr. Speaker* —The following bills have been passed by the Senate, to-wit :

A bill to be entitled an act to amend an act entitled an act to appropriate money to improve the navigation of the Altamaha and Oconee and Ocmulgee rivers, and to appoint commissioners for the same, approved January 19th, 1852. Also,

A bill to be entitled an act to regulate the measuring of timber in this State, and for the appointing of measurers and inspectors of the same.

The House took up the report of the Committee upon the bill to be entitled an act to authorise the Ordinary or School Commissioners of Elbert county, to pay the arrearages due the teachers of poor children of said county, for services rendered in 1851.

Mr. Yopp moved to amend as follows, which was agreed to, to wit :

*Be it further enacted,* That the Ordinary of Laurens county, be authorized to pay Joseph Aycock fifty-two dollars and thirty cents for teaching poor children of said county not returned by the Justices of the Peace, or the proper proportion thereof, for the year 1852.

Mr. McCurdy offered the following amendment, which was agreed to, to wit :

"And also, that the Ordinary of Whitfield county be required to pay to Thomas J. Pope, of said county, the sum of sixty dollars and seventy-eight cents, for teaching poor children in said county, for the years 1852 and 1853."

Mr. Williams of Walton offered the following amendment, which was agreed to, to wit :

Sec.—*And be it further enacted by the authority aforesaid,* That the School commissioner for the county of Walton, be and he is hereby authorised and required to pay to Margaret Morrow, Joshua Ammons, Matthew Cook, Erasmus McGibony, Jacob Shellnott, David Shellnott and the legal representatives of James E. Burt, deceased, for teaching poor children in said county, in the year 1852, out of any surplus which may arise after the payment of all accounts for teaching poor children for the year 1853, or any subsequent year, until all accounts be fully paid for teaching poor children by said persons, as before mentioned, for said year 1852: *provided*, their accounts are made out and allowed them according to the law regulating such accounts, in said year; and it is further provided that in the event such surplus should not be sufficient to pay all said accounts in full, it shall be the duty of the commissioners to pay them *pro rata*.

Sec.—*And be it further enacted,* That the said commissioner for the county of Walton, pay to the legal representatives of Thomas G. Wood, deceased, his account for teaching poor children in the year 1851, upon the same conditions and restrictions as is provided for the payment of the teachers of poor children in said county of Walton, for the year 1852, in the above and foregoing section.

Mr. Mobley, offered the following amendment, which was agreed to, to wit :

*Be it enacted,* By the Senate and House of Representatives of the State of Georgia in General Assembly met, that the school commissioner of Harris county, be and he is hereby authorised to pay out of any surplus fund in his hand, the accounts of teachers, which were not rendered in to said commissioner in terms of the law, provided in his discretion, he shall think the payment of the same is right, just and proper, and provided also, that the payment of such accounts shall not interfere in the least, with those legally and properly rendered in; any law, regulation or custom to the contrary, notwithstanding.

Mr. Headen offered the following amendment, which was agreed to, to wit :

And also, that the Ordinary or school commissioner of the county of Hall, be authorised and required to pay all teachers of poor children in said county for the year 1852, their portion of poor school money, notwithstanding said teachers did not render their accounts in terms of the law.

The report of the committee, as amended, was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act, to authorise the issue of State bonds, for purposes therein specified. Pending the discussion upon the passage of the bill, the House adjourned until 3 o'clock, this afternoon.

### THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

The House then resumed the consideration of the passage of the bill to be entitled an act to authorise the issue of State bonds, for purposes therein specified; and upon the question "Shall this bill now pass?" the yeas and nays were required to be recorded, and are: yeas 32, nays 72.

Those who voted in the affirmative are, Messrs.

Adams,	Latham.	Riley,
Calloway,	Linn.	Shine.
Crawford,	Mays,	W Smith,
Crittenden,	McCurdy,	Stapleton,
Dawson,	McDougald,	J. Stewart,
Denham,	McGregor,	Stokes,
Durden,	Moughon,	Strother.
Dial,	Paris,	Sweat,
J. Hardin,	Phillips,	H. L Williams,
Haynie.	Redding,	Young,
Hawkins,	G. R. Reid.	

Those who voted in the negative are Messrs.

Alread,	Boatright.	Benj. Cleveland,
Andrews.	Brown,	W C. Cleveland.
Armstrong,	Cameron.	Clements.
Barnes.	Carlton.	Cody,
Bell,	Champion,	Eberhart,
Bostwick.	Clark.	Fannin.

Fields,	Manor,	W R: Smith,
Fish,	McLean,	Staten,
Gartrell,	Mc Whorter,	Stephens,
Green,	Mobley.	L. S. Stewart,
Griffin,	Moody.	Strickland,
Gross.	Nichols,	J. Taylor,
W P. Harden,	Pickett,	D. W. Taylor.
Harrison.	Poole,	W A. Walton,
Harrall,	Pottle,	J. H. Walton,
Hatton,	Powell.	Walker
Headen	Powers,	West.
Henderson.	Radford,	Whitworth.
Hood,	M. Reid,	A. J. Williams,
Holland,	Reynolds.	Williamson.
Hudson,	Rice,	Williford,
Irwin,	Richardson,	Woodward,
Keith,	N. Robinson,	Yopp.
Martin.	Rumph,	
Masters.	Shewmake,	

So the bill was lost.

The House took up the report of the committee on the bill to be entitled an act for the relief of Nancy Henderson, which was the special order of the day.

The report was agreed to; and the bill was read the third time and passed, under the title thereof. Whereupon the Clerk was instructed to convey the same to the Senate forthwith.

The House took up the report of the committee on the bill to be entitled an act, to lay out and organize a new county from the county of Baker, and to attach the same to a Judicial, Congressional and Military District; the same being the special order of the day.

On motion of Mr. McDougald, the same was laid upon the table for the present.

Mr. Crittenden moved that the House do now adjourn until to-morrow morning half-past 9 o'clock. Whereupon the yeas and nays were required to be recorded, and are yeas 58, nays 33.

Those who voted in the affirmative are Messrs.

Adams,	Champion,	Eberhart,
Andrews,	W C. Cleveland,	Fannin,
Bell,	Cody,	Gartrell,
Brown,	Crittenden,	Griffin,
Calloway,	Dawson,	Gross,
Carlton,	Denham.	W. P. Harden,



J. Hardin,	McLean,	Stephens,
Haynie,	McWhorter.	Strickland,
Hatton,	Moughon.	Strother,
Headen,	Paris	Sweat.
Holland,	Poole,	J. Taylor,
Irwin,	Pottle,	D. W. Taylor.
Jones	Redding,	J. H. Walton,
Latham.	G. R. Reid,	West,
Manor,	Rice.	Whitworth,
Mays,	Richardson.	H. L. Williams,
McComb,	N. Robinson	A. J. Williams.
McCurdy,	Rumph,	Williford,
McDougald,	Shewmake,	
McGregor,	W. Smith,	

Those who voted in the negative are Messrs.

Alread,	Hood.	W. R. Smith,
Barnes.	Hudson,	Stapleton,
Cameron,	Masters	Staten.
Clark.	Mobley.	L. S. Stewart.
Benj. Cleveland.	Moody.	J. Stewart
Clements.	Nichols.	Turner,
Crawford,	Pickett.	Walker
Fields.	Powers.	Williamson,
Fish,	Radford,	Woodward.
Harrall,	M. Reid.	Young.
Hawkins,	Riley.	Yopp.

So the motion was sustained.

Pending the call of the yeas and nays, the following message was received from his Excellency the Governor, by his Secretary. Mr. DeGraffenreid:

*Mr. Speaker*—The Governor has signed and approved a bill entitled an act to incorporate the McDonough Collegiate Seminary, and to give the commissioners of the incorporation of the town of McDonough, that shall hereafter be elected, full power and authority to pass and enforce all such by-laws and Ordinances as they in their judgement may believe necessary to guard the interests of the citizens residing in the corporate limits of said town of McDonough, and to insure the permanent prosperity of said institution; which has been deposited in the office of the Secretary of State.

I am also instructed by his excellency the Governor to transmit to this branch of the General Assembly, a communication in writing, with accompanying documents.

The House then adjourned until to-morrow morning. half-past 9 o'clock.

TUESDAY, DECEMBER 13th, 1853.

The House met pursuant to adjournment.

On motion of Mr. Yopp the rules of the House were suspended, and the following bills were introduced and read the first time, to wit:

Mr. Redding reported

A bill to be entitled an act to change the name of the Forsyth Female Collegiate Institute, to that of the Monroe Female University.

Mr. Stapleton reported

A bill to be entitled an act to incorporate the Bethany Camp Ground Academy, and to appoint Trustees for the same.

Mr. Brown reported

A bill to be entitled an act to add lots of land, Numbers one hundred and fifty-two and one hundred and twenty-two, in the eleventh District of originally Muscogee, now Marion county, to the county of Talbot.

Mr. Riley reported

A bill to be entitled an act to authorize the Justices of the Inferior Court of Lumpkin county, or a majority of them, to levy an extra tax, for the purpose of building a jail, &c.

Mr. Phillips reported

A bill to be entitled an act for the relief of Jane Levy, wife of Lewis Levy, of Richmond.

Mr. Mobley reported

A bill to be entitled an act to incorporate the Columbus, Hamilton and Lagrange Railroad company.

The rules of the House being suspended, the House took up the report of the committee, on the bill to be entitled an act to lay out a new county from the county of Baker, and to attach the same to a Judicial, Congressional and military district.

Mr. McDougald moved to amend, by striking out the name of "Dougherty," and inserting in lieu thereof, the name of "Fannin," in honor of Col. James Fannin, who fell fighting for the independence of Texas.

Mr. Walker moved the previous question, and upon the question, "Shall the previous question be sustained?" the yeas and nays were required to be recorded, and are: yeas 72, nays 23.

Those who voted in the affirmative are Messrs.

Adams,  
Alread,  
Barnes,  
Bell,

Bostwick,  
Brown,  
Calloway,  
Cameron,

Carlton,  
Champion,  
Benj. Cleveland,  
Cody,

Durden,	McWhorter,	Stapleton,
Fannin,	Mobley,	Staten,
Gartrell,	Moody,	Stephens,
Gross,	Moughon,	L. S. Stewart,
W. P. Harden,	Nichols,	Stokes,
Harrison	Paris,	Strickland,
Harrall,	Phillips,	Strother,
Hatton.	Pottle,	Sweat,
Hardeman,	Powers,	J. Taylor,
Hawkins,	Radford,	D W Taylor
Headen,	G R Reid,	Turner,
Irwin,	M Reid,	W. A. Walton,
Jones	Reynolds,	J. H. Walton,
Linn,	Rice,	Walker,
Masters	Richardson,	A. J. Williams,
Mays	Riley,	Williamson,
McCurdy,	Rumph,	Wilson.
McGregor,	Shewmake,	Williford,
McMullin,	J. C. Smith,	Woodward,
McMillan,	Wm. Smith,	Yopp,

Those who voted in the negative are Messrs.

Armstrong,	Hardison,	Pickett,
Crawford,	Hudson,	Poole,
Crittenden,	Keith,	Powell,
Dawson,	Latham,	W. R. Smith.
Denham,	Manor,	West
Eberhart,	McComb,	Whitworth,
Fields,	McDougald,	Young,
Griffin,	McLean,	

So the motion was sustained.

The question then recurred upon the motion to strike out the name of "Dougherty."

Whereupon the yeas and nays were required to be recorded, and are: yeas 15, nays 85.

Those who voted in the affirmative are Messrs.

Crawford,	Keith,	M Reid,
Denham,	McComb,	Shine,
Fish,	McDonald,	W. R. Smith,
Griffin,	McDougald,	J. Stewart,
Hardison,	Nichols,	West,

Those who voted in the negative are Messrs.

Adams,	Henderson,	Richardson,
Alread,	Hood,	Riley,
Andrews,	Holland,	N. Robinson,
Armstrong,	Hudson,	Rumph,
Barnes,	Irwin,	Shewmake,
Bell,	Lamar,	J C Smith
Bostwick,	Linn,	Wm. Smith,
Boatright,	Masters,	Stapleton,
Brown,	Mays	Staten,
Calloway,	McCurdy,	Stephens,
Cameron,	McGregor,	L S Stewart,
Carlton	McLean,	Stokes,
Clark,	McMullin,	Strickland,
Champion,	McMillan,	Strother
Benj. Cleveland,	McWhorter,	Sweat,
Cody,	Molley,	J. Taylor,
Crittenden,	Moody,	D. W Taylor,
Dawson,	Moughon,	W A. Walton,
Durden,	Paris	J. H. Walton,
Dial,	Phillips,	Walker,
Fannin,	Pickett,	Whitworth.
Fields,	Poole,	A. J. Williams,
Gartrell,	Pottle,	Williamson,
Gross,	Powell,	Wilson,
W. P. Harden,	Powers,	Williford,
Harrison,	Radford,	Woodward,
Harrall,	Redding,	Young,
Hardeman,	G. R. Reid,	Yopp.
Hawkins,	Reynolds,	
Headen,	Rice,	

So the motion to strike out was lost.

The report of the committee was agreed to. The bill was read the third time and passed.

The following message was received from the Senate, by Mr. Moore, their Secretary :

*Mr. Speaker*—The Senate have passed the following bills of the House of Representatives, to wit :

A bill amendatory of the several acts, incorporating the city of Rome. Also,

A bill to be entitled an act to indemnify Henry M. Burkhalter, for loss sustained by him, in consequence of the State selling to him a fractional lot of land, to which it had no title, with an amendment, in which they ask the concurrence of the House of Representatives.

The Senate has, also, concurred in the resolution of the House of Representatives, providing for a recess of the

present General Assembly, from and after the 21st instant, until the second Monday in January next.

The House took up the report of the committee, on the bill to be entitled an act for the relief of Matthew Grace and Thomas Thompson, of the county of Pulaski.

The report of the committee was agreed to. The bill was read the third time and passed.

On motion of Mr. Pottle, the Clerk was requested to convey the bill to the Senate forthwith.

On motion the rules of the House were suspended, and the following bill of the Senate was taken up and read the first time, to wit :

A bill to be entitled an act to regulate the measuring of timber in this State, and for the appointing of Measurers and Inspectors of the same.

The rules of the House being further suspended, the following bill of the Senate was taken up and read the second time, to wit :

A bill to be entitled an act to add a portion of Habersham county to the county of Lumpkin, and to amend an act, to add the tract of land, known as Sherwood's Mill Tract, in Hall county, to the county of Gwinnett, approved 12th January, 1852.

The following bill was taken up, read a second time and committed for a third reading, to wit :

A bill to be entitled an act to authorize the Treasurer to make certain advances.

On motion of Mr. Mobley, the rules were suspended, and the House took up the bill to be entitled an act, indemnifying Henry M. Burkhalter, for loss sustained by him, in consequence of the State selling to him a fractional lot of land, to which it had no title, and concurred in the following amendment of the Senate, to wit :

*And be it further enacted*, That the provisions aforesaid be extended to William Toney, of Randolph county, who, under like circumstances, purchased of the State, and had a grant taken out, for fractional lot of land, No. 341. in the 7th District of Randolph county, when the State had no title to the same ; and that the Governor draw his order, or warrant, on the Treasury, for the amount of principal and interest, in favor of said William Toney, whenever satisfactory evidence of such facts is furnished ; and that the same be paid, or the order of William Toney, to the Senator from Randolph county.

The House took up the report of the committee, on the bill to be entitled an act to repeal an act, passed 9th January, 1852, entitled an act to levy and collect a tax for each of the political years, 1852 and 1853, and thereafter, until repealed, and to repeal an act, supplementary to said act, approved 21st January, 1852, and to revive and continue in

force an act, passed 22d February, 1850, entitled an act, to levy and collect a tax for each of the political years, 1850 and 1851, and thereafter; the same being the special order of the day.

Mr. Phillips offered as a substitute thereto, the following bill, to wit :

A bill to be entitled an act, to levy and collect a tax for each of the political years, 1854 and 1855, and thereafter, until repealed; which was read.

Mr. Walton of Richmond offered as a substitute for the substitute, the following bill, to wit :

A bill to be entitled an act, to levy and collect a tax for each of the political years, 1854 and 1855, and thereafter, until repealed, and to revive and continue in force, such parts of the general or special tax laws heretofore passed, as may be consistent with the provisions of this act.

Mr. Hardeman moved that one hundred and fifty copies of the foregoing bill and substitutes be printed, for the use of the House, that the whole matter be made the special order of the day for Friday next; which motion was agreed to.

The House then proceeded with the regular order of business, being the reading of bills the third time.

The House took up the report of the committee, on the bill to be entitled an act to amend an act, authorizing certain Commissioners to raise by lottery, a fund for the erection of monuments to the memory of Greene and Pulaski, in the city of Savannah, passed December, 1837, and the original act, of which the same is an amendment.

On motion of Mr. Irwin, the bill was recommitted, and Mr. Irwin offered the following amendment; which was agreed to, to wit: "Provided, that as soon as the amount is raised, asked for by this act, all the privileges therein granted shall cease and be of no effect."

The report of the committee, as amended, was agreed to, and upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded, and are: yeas 58, nays 26.

Those who voted in the affirmative, are Messrs.

Adams,	Durden,	Harrison,
Barnes,	Eberhart,	Hardeman,
Boatright,	Fields,	Headen,
Cameron,	Fish,	Hudson,
Carlton,	Gartrell,	Jones,
Clark,	Griffin,	Linn,
Benj. Cleveland,	Gross,	Mays,
Clements,	W. P. Harden,	McComb,
Denham,	J. Harden,	McGregor,

McLean,	Riley,	Walker
McMullin,	Rumph,	West,
McWhorter.	Shine,	H. L. Williams,
Mobley,	G. K. Smith,	A. J. Williams,
Paris,	W. R. Smith,	Williamson,
Pickett,	W. Smith,	Wilson,
Poole,	Stapleton,	Woodward,
Powers,	Staten,	Young,
Radford,	Stokes,	Yopp.
G. R. Reid,	J. Taylor,	
M. Reid,	D. W. Taylor,	

Those who voted in the negative are, Messrs.

Alread,	Manor,	Stephens,
Champion,	McCurdy,	J. Stewart,
Cody,	McMillan,	Sweat,
Hatton,	Nichols,	Turner,
Hawkins,	Powell,	W. A. Walton,
Hardison,	Redding,	J. H. Walton,
Henderson,	Reynolds,	Whitworth,
Irwin,	Richardson,	Williford,
Keith,	J. C. Smith,	

So the bill was passed.

The House took up the report of the committee, on the bill to be entitled an act, to compel non-resident land owners to pay taxes for the same in the county where the land lies, so far as regards the county of Decatur, and to point out the mode of proceeding in cases of default.

Mr. Pickett offered the following amendment, to wit :

*"Be it further enacted by the authority aforesaid, That all the provisions of this act shall be extended to the county of Gilmer;"* which amendment was disagreed to.

Mr. Cleveland of Habersham moved that the bill and amendment be laid upon the table, for the balance of the session ; which motion was agreed to.

The House took up the report of the committee, on the bill to be entitled an act to authorize the formation of a Fire Company in the city of Macon, to be call the Protection Fire Company, No. 1, of the city of Macon, and to confer on the members thereof certain privileges and exemptions.

The report was agreed to. The bill was read the third time and passed, under the title thereof.

The House took up the report of the committee, on the bill to be entitled an act for the relief of Hannah Levy.

Mr. Crawford offered the following amendment, to wit :

*"And be it further enacted by the authority aforesaid, That, from from and after the passage of this act, Mary Ann Lin-*

ton, wife of Charles J. Linton of Cass county, be, and she is hereby, authorized to contract and to be contracted with, as a *feme sole*, and transact business in her own name, and for her own use and benefit, notwithstanding her coverture; and that her further acquisition shall not be liable for the debts or contracts of her present, or any future husband, and that she may sue and be sued in her own name."

Mr. Walker of Richmond offered the following amendment, to wit :

*"And be it further enacted, That all the privileges herein granted to the said Hannah Levy, be and the same are hereby, extended to Julia Ann Waller, wife of George B. Waller, of the county of Richmond."*

The report of the committee, as amended, was agreed to. The bill was read the third time and passed, under the title thereof.

The following communication from his Excellency the Governor, was taken up and read as follows :

EXECUTIVE DEPARTMENT, }  
MILLEDGEVILLE, Dec. 12th, 1853. }

*To the Senate, and House of Representatives :*

I herewith transmit to the General Assembly, a communication from Josephus Echols, in behalf of himself and John H. Howard, asking for himself, compensation for professional services, and for said Howard, reimbursement for expenses and expenditures in certain litigation lately terminated, which rose out of the disputed boundary question between this State and the State of Alabama. As will be fully seen and understood from the communication itself they purchased certain city lots of land, under the express grant of the State, bounded on the west by high water mark, on the western bank of the Chattahoochee River. That after extensive and important improvements had been made to control the water power of the river, and in the erection of buildings and machinery, persons holding lands on the western bank, in Alabama, as well as the State herself, asserted that the true boundary line was, at low water mark, on the western bank, and that their riparian rights extended to the middle of the stream. That acting in accordance with, and support of this claim, they entered upon and maintained possession of a considerable portion of the land thus purchased by the said Howard and Echols. That several suits by, and against both parties, arose in the courts of both States—two of which (one from each State) were carried by said Howard and Echols, by writ of Error, to the Supreme Court of the United States, and in which the said question of boundary was fully investigated, and a final decision made, fully sustaining the claim of Georgia, and overruling all the decisions in the courts below. It seems to me, that inas-



much as the interest of these parties, (who were thus compelled to litigate this boundary question, under an express grant of the State, or to abandon their improvements, or to pay enormous prices for their peace,) though important to them, was almost nominal, compared with the interest which the State has in that very important boundary, extending as it does, a distance by the river of nearly two hundred miles, that is, from the Florida line to West Point, she should promptly relieve them from the burdens which the necessities of the case imposed upon them—and the more especially, as the litigation has been so signally successful; a result which, under the circumstances, could not, in all probability, have been attained without perseverance, and close attention, to say nothing of the loss and hardships which they represent to have been incurred in consequence of the protracted existence of the litigation.

I cannot but commend the communication to your careful consideration, not doubting that the information contained in it, respecting so important an interest of the State, will be acceptable, and that the claims of the applicants will be fully and wisely considered, and allowed, if found to be equitable and just.

I hardly need mention that this, as well as other States, recognizes a disputed boundary question, as devolving the expenses upon the States concerned.

HERSCHEL V. JOHNSON.

On motion of Mr. Adams, the foregoing communication and accompanying documents, were referred to the Committee on Finance.

The House took up the report of the committee on the bill to be entitled an act to remove an impediment relative to James B. Goddard of the county of Carroll, and to authorize him to marry. The report was agreed to; the bill was read the third time, and passed under the title thereof.

The House took up the report of the committee on the bill to be entitled an act to authorize John A. Lyon of the county of Cherokee, to practice medicine on the Botanic System, and to charge for the same.

Mr. Henderson offered the following amendment; which was agreed to, to wit: "Also, that F. N. Hardeman of DeKalb county, be also allowed to practice according to the provisions of this act."

Mr. Gross offered the following amendment, which was agreed to, to wit: "Also, that R. Rogers of Scriven county be, and is hereby permitted to practice, according to the provisions of this act."

Mr. Pottle offered the following proviso, which was agreed to, to wit: "*Provided*, that they and each of them have a license from the Botanic College of this State."

Mr. Shewmake moved to lay the bill and amendments on the table for the balance of the session ; whereupon, the yeas and nays were required to be recorded, and are : yeas 41, nays 57.

Those who voted in the affirmative are, Messrs

Adams,	Jones,	Rice,
Andrews,	Linn,	Shine,
Barnes,	Mays,	J. C. Smith,
Bostwick,	McComb,	G. K. Smith,
Boatright,	McCurdy,	Stephens,
Carlton,	McDougald,	J. Stewart,
Crawford,	McWhorter,	Sweat,
Denham,	Mobley,	J. Taylor,
Dial,	Moody,	D. W. Taylor,
Fish,	Moughon,	Turner,
W P Harden,	Nichols,	J. H. Walton,
Harrall,	Poole,	Walker,
Hardison,	Pottle,	West,
Hood,	Powell,	

Those who voted in the negative are, Messrs.

Alread,	Hawkins,	Richardson,
Bell,	Hamilton,	Riley,
Calloway,	Headen,	N. Robinson,
Cameron,	Henderson,	Rumph,
Champion,	Hudson,	Shewmake,
W C. Cleveland,	Irwin,	G. K. Smith,
Benj. Cleveland,	Keith,	W. Smith,
Crittenden,	Masters,	Stapleton,
Dawson,	Manor,	Staten,
Eberhart,	McGregor,	Strickland,
Fannin,	McMullin,	Strother,
Fields,	McMilian,	W. A. Walton,
Griffin,	Paris,	Whitworth,
Gross,	Pickett,	H. L. Williams,
James Hardin,	Powers,	A. J. Williams,
Haynie,	Radford,	Wilson,
Harrison,	Redding,	Woodward,
Hatton,	G. R. Reid,	Young,
Hardeman,	M. Reid,	Yopp,

So the motion to lay on the table was lost.

The report of the committee, as amended, was agreed to, and the bill, as amended, was read the third time and passed.

On motion of Mr. Hardeman, leave of absence was granted to Mr. Thornton for a few days, on account of indisposition.

On motion of Mr. Griffin, the House then adjourned until 3 o'clock, P. M.

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### THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

The following bills of the Senate were read the first time, to wit:

A bill to be entitled an act to define the duties of County Treasurer in the several counties of this State.

A bill to be entitled an act to extend the corporate limits of the town of Carrollton, in Carroll county.

A bill to be entitled an act to add an additional Section to the 10th Division of the Penal Code of this State.

A bill to be entitled an act to authorize and require the School Commissioners of the several counties therein named, to pay teachers who taught poor children of said counties in 1852, and failed to file their accounts within the time prescribed by law.

A bill to be entitled an act to authorize the testimonies of physicians to be taken in certain cases, by interrogatories.

A bill to be entitled an act to consolidate the offices of Tax Receiver and Collector, for the county of Irwin.

A bill to be entitled an act to re-enact and declare in full force, all statutes relating to the incorporation of the town of Mouroe, in Walton county, and extend its corporate limits.

A bill to be entitled an act to incorporate the Cassville Female College, located in the town of Cassville, Ga., and to incorporate the Cherokee Baptist College, located at the same town, and to confer on the commissioners of the town of Cassville, the power to grant license to retail ardent spirits, and for other purposes therein named.

On motion of Mr. Gartrell, the rules of the House were suspended, and the House took up the report of the committee on the bill of the Senate, to be entitled an act to abolish, change and establish new election precincts in the counties hereinafter named.

Mr. Bell offered the following amendment, which was agreed to, to wit: "There shall be a precinct established at the usual place of holding Justices Courts, in the Mineral Spring District of Stewart county, and the precinct established at the house of Galba Mathews, in the 25th District

of said county of Stewart, shall be changed to the place of holding Justices Courts in said District."

Mr. Hawkins offered the following amendment, which was agreed to, to wit: "Also, to establish an election precinct at the place of holding Justices Courts of the 940th District, G. M., in the county of Chattooga."

Mr. Harrall offered the following amendment, which was agreed to, to wit: "To establish one at the usual place of holding Justices Courts in the 511th District, G. M., Pulaski county."

The report of the committee, as amended, was agreed to; the bill was read the third time and passed.

Mr. Hardeman moved to adjourn; whereupon, the yeas and nays were required to be recorded, and are: yeas 36, nays 52.

Those who voted in the affirmative are, Messrs.

Adams,	Hardeman,	Redding,
Bell,	Hawkins,	Shine,
Boatright,	Hardison,	G. K. Smith,
Brown,	Hamilton,	W. Smith,
Carlton,	Holland,	Staten,
Crawford,	Keith,	Strickland,
Crittenden,	Latham,	Strother,
Denham,	McCurdy,	D. W. Taylor,
Dodds,	McMillan,	J. H. Walton,
Eberhart,	Pottle,	West,
Gross,	Powers,	H. L. Williams,
Harrall,	Radford,	Woodward,

Those who voted in the negative are, Messrs.

Alread,	Hudson,	Richardson,
Andrews,	Irwin,	Riley,
Armstrong,	Lamar,	N. Robinson,
Barnes,	Linn,	Rumph,
Bostwick,	Masters,	W. R. Smith,
Bridges,	Manor,	Stephens,
Calloway,	Mays,	L. S. Stewart,
Cameron,	McDonald,	J. Stewart,
Champion,	McGregor,	J. Taylor,
Benj. Cleveland,	McWhorter,	Turner,
Fannin,	Mobley,	W. A. Walton,
Fields,	Nichols,	Walker,
Griffin,	Phillips,	A. J. Williams,
W. P. Harden,	Pickett,	Williamson,
J. Hardin,	Poole,	Williford,
Headen,	G. R. Reid,	Young,
Henderson,	M. Reid,	
Hood,	Rice,	

So the motion to adjourn was lost.

The House then proceeded with the regular order of business.

The following bills from the Senate, was taken up and read the first time, to wit :

A bill to be entitled an act transferring from the Executive Committee of the Georgia Baptist Convention, to the Commissioners herein named, and their successors in office, the Female Academy and teacher's house in Penfield, with the lots and all the appurtenances thereto belonging.

A bill to be entitled an act to dispose of the ungranted lots of land in the Cherokee purchase, and elsewhere.

On motion of Mr. Poole, the House adjourned until tomorrow morning, 9 o'clock.

WEDNESDAY, DECEMBER 14th, 1853.

The House met pursuant to adjournment.

On motion of Mr. Strother, the rules of the House were suspended.

The House took up the report of the committee on the bill to be entitled an act to prescribe and point out the mode of collecting coroner's fees, in the several counties of this State, passed December 22d; 1835.

The report was agreed to. The bill was read the third time and passed.

The following message was received from the Senate, by Mr. Moore, their Secretary.

*Mr. Speaker*—The Senate has passed the following bill of the House of Representatives to wit :

A bill to be entitled an act for the pardon of Elijah Bird, of the county of DeKalb, now under sentence of death for the crime of Murder.

The Senate has also agreed to a resolution, that each member of the General Assembly be furnished with a copy of the acts and journals of the present session of the Legislature, in which they ask the concurrence of the House of Representatives.

On motion of Mr. Turner, the rules of the House were suspended.

The House went into committee of the whole, on the bill to be entitled an act to authorise the treasurer to make certain advances, Mr. Gartrell in the chair, The committee rose, and Mr. Gartrell reported the bill back to the House with amendments.

On motion of Mr. Clark, the bill and amendments, were referred to the committee on finance.

The House then proceeded to the call of the counties, and the following bills were introduced and read the first time, to wit :

Mr. McComb reported

A bill to be entitled an act to allow billiard tables to be used in private houses, in this State, and the same not to be subject to any tax other than that of household furniture.

Mr. Andrews reported

A bill to be entitled an act to reduce the Sheriffs' bonds in the county of Butts.

Mr. Manor reported

A bill to be entitled an act to alter and change the name of Daniel Elliott to Stewart Elliott.

Mr. Gartrell reported.

A bill to be entitled an act to regulate the collection of Juries' fees in the Superior and Inferior Courts of the county of Cobb.

Mr. Wilson reported

A bill to be entitled an act to incorporate W. P. Arnold Lodge, No. 82, of Free and Accepted Masons of Wrightsborough.

Mr. Harden reported.

A bill to be entitled an act to compensate Grand and Petit Jurors of the county of Clark.

Mr. Staten reported

A bill to be entitled an act to repeal an act, approved January 22d, 1852, entitled an act to repeal the 1st Section of an act, approved December 19th, 1849, respecting the importation of Slaves into this State.

Mr. Gartrell reported

A bill to be entitled an act declaratory of an act entitled an act to authorise parties to compel discoveries at common law approved December 17th, 1847, and to settle the practice under the same.

Mr. Pickett offered a resolution, which was read as follows, to wit :

*Resolved*, That no member of this body have leave of absence from and after to-day, only in extraordinary cases.

*Resolved further*, That should any member of this body absent himself from the House by leave or otherwise during its deliberations, he shall not draw his per diem pay while absent, any rule or practice to the contrary notwithstanding.

The following bills were introduced and read the first time, to wit :

Mr. Taylor of Houston reported

A bill to be entitled an act to alter the law of this State in

relation to the duties of appraisers of estates, and for other purposes therein mentioned.

Mr. Barnes reported

A bill to be entitled an act to incorporate the Columbia Mining Company, and to grant certain privileges thereto.

Mr. Mobley reported

A bill to be entitled an act to regulate the fees of the Ordinaries of this State, and to allow them to make out annual returns.

Mr. McDougald reported

A bill to be entitled an act to revise, re-enact and continue in force an act entitled an act to authorise and require the Sheriffs, Coroners, clerks of the Superior and Inferior Courts and courts of Ordinary, in several counties of this State, to advertise in certain newspapers, approved February 22d, 1852. Also,

A bill to be entitled an act to amend an act entitled an act to carry into effect the amended constitution of this State, in reference to the Ordinaries, and for other purposes assented to on the 21st January, 1852, and for other purposes. Also,

A bill to be entitled an act to amend an act entitled an act to provide for the education of the poor, approved January 22d, 1852, so as to compensate the person who shall be appointed by the Ordinary in the militia districts, to give him information respecting the poor children, under the provisions of the 16th section of the above recited act, and for other purposes.

Mr. Stapleton reported as duly enrolled a bill to be entitled an act to indemnify Henry M. Burkhalter, for loss sustained by him in consequence of the State selling to him a fractional lot of land, to which it had no title.

On motion of Mr. McDougald, the rules of the House were suspended, to enable him to offer the following resolution, which was taken up, read and adopted, to wit:

*Whereas*, That the whole number of the copies of Cobb's Analysis and Forms subscribed for by the State, have been by distribution exhausted, and that there is now a demand for said books, consequent upon the formation of new militia districts, and the creation of new counties.

*Be it therefore resolved by the Senate and House of Representatives*, That his Excellency the Governor be and he is hereby authorised and requested to purchase a number of said books **not exceeding two hundred copies** at a price not to exceed five dollars per copy. And that in case said purchase can be made, payment therefore shall be provided for in the appropriation bill.

The following bills were introduced and read the first time, to wit:

**Mr. Thornton reported**

A bill to be entitled an act to amend an act entitled an act to compel the several Banks of this State, to redeem their liabilities in specie, and to provide a forfeiture of such as may refuse, assented to on the 18th of December, 1840.

**Mr. Jones reported**

A bill to be entitled an act to repeal the amendatory act, approved December 30th, 1851, to prevent the killing of Deer at certain periods, in the County of Richmond.

**Mr. McCurdy reported**

A bill to be entitled an act to authorize Christian Rauschenberg, of the county of Whitfield, to practice medicine and surgery in all their branches, in any county in this State, and to charge and collect for the same, without license from the medical board of this State.

**Mr. Hardin of Paulding, reported**

A bill to be entitled an act to alter and change the name of William H. Austin to that of William H. Bray.

**Mr. Brown reported**

A bill to be entitled an act for the incorporation of the town of Buena Vista, Marion county, Georgia.

**Mr. Harrah reported**

A bill to be entitled an act to appropriate money for the purposes therein specified.

**Mr. Hardin of Paulding, reported**

A bill to be entitled an act to amend the several laws now in force, in relation to free persons of color, and to exonerate and discharge certain free persons of color, from all pains, penalties and forfeitures heretofore incurred, and to which they are subject and liable.

**Mr. Williford reported**

A bill to be entitled an act to prohibit slaves and free persons of color from acting as agent, clerk or barkeeper in any retail shop in this State.

**Mr. Calloway reported**

A bill to be entitled an act to give to the Judges of the Superior Courts of this State, the discretion of commuting the penalty of death to imprisonment in the Penitentiary for life, upon the recommendation of the jury, in all convictions for offences punishable by death.

**Mr. Gross reported**

A bill to be entitled an act to allow parties to suits in Justices Courts in this State, to prove their accounts by written affidavits in certain cases hereinafter named, so as to dispense with their personal attendance, and for other purposes.

**Mr. Dawson reported**

A bill to be entitled an act to exempt from levy and sale



under and by virtue of a fi. fa. or attachment, founded upon any contract hereafter made, one negro of each and every debtor.

Mr Gross reported

A bill to be entitled an act to appropriate the State tax for the year 1854, of Scriven county, as a permanent fund to and for the use and benefit of Scriven county Academy, Parris Hill Academy and Bascom Academy, all in said county.

On motion of Mr. Williams of Sumter, the rules of the House were suspended, and the following bill was taken up and read the second time, to wit :

A bill to be entitled an act to allow the several Receivers of Tax Returns of this State, an additional compensation for their services; which bill was committed for a third reading.

Mr. Latham made the following report, to wit :

The committee, to whom was referred the bill to be entitled an act to amend the several acts of the General Assembly, in regard to the election of Public Printer, and more particularly to prescribe the duties, liabilities and compensation of said officer, and for other purposes, beg leave to report that they have re-examined the same and finding that numerous verbal amendments were necessary, have concluded it to be advisable to report a substitute for the same, and to recommend its immediate passage.

This course is deemed the more important as there is no law at present, either fixing the compensation of the Public Printer, or prescribing the number of Laws and Journals to be published.

The bill now reported, your committee trust will be found fair and equitable in its provisions, and sufficiently stringent to insure the prompt and faithful execution of the work. It prescribes the duties of the printer as well as his liabilities, without any effort to create a monopoly or to restrict the limits of government favors. It leaves the press of the whole State open to fair and honorable competition uninfluenced by local position, and backed only by its acknowledged character and facility for the fair, prompt and faithful execution of the public service; all of which is respectfully submitted.

The rules of the House were suspended, and the foregoing bill, referred to in the report of the committee, was taken up, read the second time, and made the special order of the day for to-morrow, Thursday December, 15th.

Mr. Mobley made the following report, to-wit :

The committee appointed to examine and consolidate the census returns, from the several counties in this State, for the year 1852, beg leave to submit the following report :

After a careful addition and examination of said returns.

it appears that the white population of the State is, 542,567; the slave population is 389,237; free persons of color 3,286, making the total population 935,090. The number of white males between the ages of six and sixteen are, 78,110, and the number of white females between the ages of six and fifteen are, 70,100. The number of Deaf and Dumb, not including those in the Institute are, 432, and the number of lunatics not including those in the Asylum are, 617; the number of families in the State are, 99,693; the representative population of the State is 778,054.

The table marked A., accompanying this report, contains the white population, the slave population, white males between six and sixteen, white females between six and fifteen, free persons of color, deaf and dumb lunatics, total population, representative population and number of families of the several counties, (which made returns,) alphabetically arranged.

The table marked B, contains the representative population of the several counties, numerically arranged, the county having the greatest population first.

Three counties, to wit: Camden, Clinch and Glynn, made no returns.

The committee ask for further time to report a bill apportioning the Representatives among the several counties, according to the 7th section of the 1st article of the constitution; all of which is respectfully submitted.

Mr. Mobley offered the following resolution, to wit:

*Resolved.* That five hundred copies of said report of the committee to examine and consolidate the census returns for 1852, be printed for the use of the House, and that the Public Printer be required to append to said report, the amount of tax paid by each county in 1852, and the amount paid to each county, from the Poor School Funds in said year.

On motion of Mr. Mobley, the rules of the House were suspended, and the foregoing resolution was taken up and agreed to.

The House then proceeded with the call of the Counties.

Mr. McDougald reported

A bill to be entitled an act to incorporate a Volunteer Corps of Infantry at Thomasville in the county of Thomas, to be known by the name and style of the Thomasville Guards, to authorize the Governor to furnish them with arms and accoutrements, and to grant certain privileges and exemptions to the same.

Mr. Fannin reported

A bill to be entitled an act to incorporate the West Point Baptist Church.

Mr. Fannin, from the committee, made the following report, to-wit:

The committee to whom was referred the bill to be entitled an act for the relief of Benjamin H. Cameron of Troup county, beg leave to report—That they have examined the facts connected with the application of said Benjamin H. Cameron, and find it to be a mysterious claim; that the facts set forth in the preamble to the bill are true, and that in a suit in our Courts, between the said Benjamin H. Cameron, and a private individual, upon proof of said facts, he would, by law be clearly entitled to recover. We therefore recommend the passage of the bill, with the following amendment:

*“And be it further enacted,* That the said Benjamin H. Cameron be paid the sum of one hundred dollars for his expenses incurred in defending said suit in Troup Superior Court to be paid to him in manner aforesaid.”

Mr. Young reported

A bill to be entitled an act for the pardon of J. L. D. Register of the county of Troup, now under sentence of death for the crime of murder,

On motion of Mr. Fannin, one hundred and fifty copies of the testimony in the case of the State J. L. D. Register, referred to in the above bill, were ordered to be printed for the use of the House.

Mr. Irwin reported

A bill to be entitled an act to incorporate the Washington and Petersburg Railroad company.

Mr. Hardeman offered the following resolution, to wit:

*Resolved,* That the use of this House, and the same is hereby tendered, to the instructors of the pupils of the Academy of the blind, for their exhibition this evening.

On motion of Mr. Hardeman, the rules of the House were suspended, and the foregoing resolution was taken up and agreed to.

The House then proceeded with the call of the Counties.

Mr. Reid of Carroll, reported

A bill to be entitled an act to incorporate Villa Rica Lodge No. 72, and Tallapoosa Lodge, No—, of Free and Accepted Masons.

Mr. Irwin reported

A bill to be entitled an act to incorporate the Wilkes plank or Railroad company.

Mr. Harrison reported

A bill to be entitled an act to provide for the appointment of an agricultural chemist for the State.

Mr. Lamar moved to suspend the rules of the House to allow him to introduce a resolution to bring on the election

of a State Superintendent of the Western and Atlantic Rail Road.

Upon which motion the yeas and nays were required to be recorded and are: yeas 54, nays 57

Those who voted in the affirmative are, Messrs.

Adams,	Hardison,	Rice,
Andrews,	Headen,	N. Robinson,
Boatright,	Hudson,	Rumph,
Bridges,	Keith,	Shane,
W. C. Cleveland,	Lamar,	J. C. Smith,
Clements,	Latham,	G. K. Smith,
Crittenden,	Leverett,	W. R. Smith,
Denham,	Manor,	Wm. Smith,
Durden,	Mays,	J. Stewart,
Fields,	McDougald,	Stokes,
Fish,	McLean,	Strickland,
Gartrell,	Moughon,	J. Taylor,
Green,	Nichols,	D. W. Taylor,
Griffin,	Phillips,	Trice,
Haynie,	Pickett,	West,
Harrison,	Poole,	Whitworth,
Hatton,	G. R. Reid,	H. L. Williams,
Hawkins,	M. Reid,	Young.

Those who voted in the negative are, Messrs.

Alread,	W. P. Harden,	Redding,
Anderson,	Harrall,	Riley,
E. B. Arnold,	Hardeman,	Shewmake,
Armstrong,	Hood,	Stapleton,
Barnes,	Holland,	Staten,
Bell,	Irwin,	Stephens,
Bostwick,	Linn,	L. S. Stewart,
Brown,	Martin,	Strother,
Calloway,	Masters,	Turner,
Cameron,	McCurdy,	W. A. Walton,
Carlton,	McDonald,	J. H. Walton,
Champion,	McGregor,	Walker,
Clark,	McWhorter,	A. J. Williams,
Benj. Cleveland,	Mobley,	Williamson,
Cody,	Moody,	Wilson,
Crawford,	Paris,	Williford,
Dawson,	Pottle,	Woodward,
Eberhart,	Powell,	Yopp.
Fannin,	Powers,	
Gross,	Radford,	

So the motion was lost.

Mr. Pottle moved to suspend the rules to take up the following bill for a third reading, to wit :

A bill to be entitled an act to repeal that part of the 10th Section of an act entitled an act for the government and management of the Western & Atlantic Rail Road, approved January 15th, so far as relates to the election of a Superintendent of said Railroad.

Two-thirds of the House not voting in favor of the suspension, the motion to suspend was lost.

Mr. Phillips the Chairman of the Committee on Finance, reported that the committee had examined the merits of the bill to be entitled an act to refund certain monies to the County of Cobb, and report in favor of the passage of said bill.

Mr. Phillips, chairman from the committee on Finance, reported that they had examined the merits of the following bills, and think they should not pass, to wit :

A bill to be entitled an act to authorize the Tax Collector of the county of Paulding, for the years 1854 and 1855, to pay over the amount of Taxes by him collected for State purposes, to the Justices of the Inferior Court to be by them applied to the payment of the amount due and owing for the erection of a court house in said county.

A bill to be entitled an act to authorise the Tax Collector of Campbell county, to pay over to the Justices of the Inferior Court of said county, the taxes for the years 1854 and 1855, by him collected for State purposes, to be applied by them to the erection of a bridge across Chattahoochee River, at Campbellton, Georgia.

A bill to be entitled an act to authorize the taxes of Appling county, for the years 1854 and 1855, to be retained by the Inferior Court of said county, to build an academy in the town of Holmesville, and for other purposes therein mentioned.

A bill to be entitled an act to authorize the Tax Collector of Spaulding County, to pay over the State tax for the year 1854, to the Inferior Court of said county, &c.

A bill to be entitled an act to authorize the Tax Collector of the county of Cobb, for the year 1854, to pay over to the Justices of the Inferior Court, the amount of State taxes and for other purposes therein mentioned.

A bill to be entitled an act to amend an act entitled an act to levy and collect a tax for each of the political years of 1852 and 1853.

A bill to be entitled an act to authorize the Justices of the Inferior Court of Wayne county, to receive the State tax of Wayne county for the years 1854 and 1855, &c.

A bill to be entitled an act to retain the taxes for the year 1854, for the purpose of building a jail in the county of Montgomery.

A bill to be entitled an act to authorize and require the Tax Collector of the county of Hall, to pay over to the Inferior Court of said county, the taxes due the State from said county for the year 1854.

A bill to be entitled an act to authorize the county of Lumpkin, to retain the State Tax for the years 1854 and 1855.

A bill to be entitled an act to authorize and require the Tax Collector of the county of Macon, to pay over the State Tax for the year 1853 to the Justices of the Inferior Court of said county, for the use thereof.

Mr. Shewmake offered the following resolution, to-wit :

*Resolved* That no more bills for local appropriations, be referred to the Committee on Finance.

On motion of Mr. Smith of DeKalb, the House adjourned to 3 o'clock this afternoon.

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### THREE O'CLOCK, P M.

The House met pursuant to adjournment.

The following bill of the Senate was taken up, and read the second time, to-wit :

A bill to be entitled an act to incorporate the stockholders of the Madison and Eatonton Rail Road Company.

On motion of Mr. Cleveland of Habersham, the rules of the House were suspended, and the House took up the report of the committee on the bill to be entitled an act to add a portion of Habersham county, to the county of Lumpkin and to amend an act to add the tract of land known as Sherwood's Mill tract in Hall county, to the county of Gwinnett, approved 12th of January, 1852.

The report of the committee was agreed to. The bill was read the third time and passed.

Mr. Stapleton, from the committee on enrollment, reported as duly enrolled, the bill to be entitled an act for the pardon of Elijah Bird, of the county of DeKalb, now under sentence of death, for the crime of murder.

On motion of Mr. Young, the rules of the House were suspended, and the House took up the report on the bill to be entitled an act to lay out and organize a new county from the counties of Gilmer and Union.

Mr. Cleveland of Habersham, moved to fill the blank in said bill with the name "Fannin"; which was agreed to.

Mr. Pickett moved to amend by striking out all the words in the 1st Section in said bill, after the word "beginning," and before the words "Lumpkin county line," and inserting in lieu thereof, the words, "at the northwest corner of lot

No. 163, in the 27th District, 2d Section—thence south, to the southwest corner of lot No. 180, 27th District and 2d Section—thence on a straight line to the southeast corner of the 7th District and 2d Section—thence south, with the District line, to lot No. 9, in the 6th District and 1st Section—thence northeast, with the Blue Ridge, to lot No. 162, on the District line between the 5th and 6th Districts of the 1st Section, at the Lumpkin line ; which motion to amend, was accepted.

Mr. Turner moved to amend by striking out the words “5th Congressional District,” and inserting in lieu thereof, the following words: “And that said new county be added to the 6th Congressional District.

Whereupon, the yeas and nays were required to be recorded, and are: yeas 43, nays 63.

Those who voted in the affirmative are Messrs.

Alread,	Hood,	Stephens,
E. B. Arnold,	Irwin,	L. S; Stewart,
Armstrong,	Martin,	Strother,
Barnes,	McCurdy,	Turner,
Bostwick,	McMullin,	J. H. Walton,
Brown,	McWhorter,	W. A. Walton,
Cameron,	Mobley,	Walker,
Champion,	Moody,	A. J. Williams,
Clark,	Paris,	Williamson,
Cody,	Pottle,	Wilson,
Dawson,	Powers.	Woodward,
Fannin,	Riley,	Williford,
Gross,	Shewmake,	Yopp.
Harris,	Stapleton,	
Hardeman,	Staten,	

Those who voted in the negative are, Messrs.

Adams,	Fish,	Jones,
Andrews,	Gartrell.	Keith,
Boatright,	Griffin,	Latham,
Bridges,	J. Hardin,	Leverett,
Benj. Cleveland,	Hayne,	Linn,
W C. Cleveland,	Hatton,	Masters,
Clements,	Hawkins,	Manor,
Crawford,	Hardison,	Mays,
Crittenden,	Hamilton,	McDougald,
Denham,	Headen,	McLean,
Durden,	Henderson,	Moughon,
Eberhart,	Holland,	Nichols,
Fields,	Hudson,	Phillips,

Pickett,	Rumph,	Strickland,
Poole,	Shine,	Sweat,
Redding,	J. C. Smith,	J. Taylor,
G. R. Reid,	G. K. Smith,	D. W. Taylor,
M. Reid,	W. R. Smith,	West,
Rice,	W. Smith,	Whitworth.
Richardson,	J. Stewart,	H. L. Williams,
N. Robinson,	Stokes,	Young,

So the amendment was lost.

Mr. Hardeman offered the following amendment, to-wit :  
 " That the old counties, out of which this county is formed, shall not be entitled to more than one representative—*Provided*, that her population, after the new county is formed, is not of the thirty-seven, containing the largest number of representative population.

Whereupon, the yeas and nays were required to be recorded, and are : yeas 48, nays 56.

Those who voted in the affirmative are, Messrs.

Alread,	W. P. Harden,	Shewmake,
Anderson,	Harrall	W. R. Smith,
E. B. Arnold,	Hardeman,	Stapleton,
Armstrong,	Hood,	Staten.
Barnes,	Irwin,	Stephens,
Bostwick,	Jones,	L. S. Stewart,
Brown,	McGregor,	Strother,
Calloway,	McLean,	Turner,
Cameron,	McMullin,	W. A. Walton,
Champion,	McWhorter,	J. H. Walton,
Clark,	Mobley,	Walker,
Cody,	Moody,	A. J. Williams,
Dodds,	Pottle,	Williamson,
Fannin,	Powers,	Wilson,
Fish,	Radford,	Woodward,
Gross,	Riley,	Yopp.

Those who voted in the negative are, Messrs.

Adams,	Durden,	Hawkins,
Andrews,	Eberhart,	Hardison,
Boatright,	Fields,	Hamilton,
Bridges,	Gartrell,	Headen,
Benj. Cleveland,	Griffin,	Henderson,
W. C. Cleveland,	J. Hardin,	Holland,
Crawford,	Haynie	Hudson,
Denham,	Hatton.	Keith,



Linn,	Redding,	J. Stewart,
Martin,	G. R. Reid,	Stokes,
Manor,	M. Reid,	Strickland,
Masters,	Rice,	Sweat,
Mays,	Richardson,	J. Taylor,
McCurdy,	N. Robinson,	D. W. Taylor,
Nichols,	Rumph,	West,
Paris,	Shine,	Whitworth,
Phillips,	J. C. Smith,	H. L. Williams,
Pickett,	G. K. Smith,	Young,
Poole,	W. Smith,	

So the motion was lost.

The committee reported agreement to the bill, as amended.

The report of the Committee of the Whole was agreed to.

The question then recurred upon the passage of the bill, and upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded, and are : yeas 57, nays 43.

Those who voted in the affirmative are, Messrs.

Adams,	Hawkins,	Pickett,
Alread,	Hardison,	Poole,
Boatright,	Hamilton,	G. R. Reid,
Bridges,	Headen,	M. Reid,
Calloway,	Holland,	Rice,
Clark,	Hudson,	Riley,
Benj. Cleveland,	Keith,	N. Robinson,
Clements,	Latham,	Shine,
Crawford,	Leverett,	G. K. Smith,
Crittenden,	Linn,	W. R. Smith,
Dawson,	Masters,	W. Smith,
Durden,	Manor,	Stapleton,
Eberhart,	Mays,	J. Stewart,
Fields,	McCurdy,	J. Taylor,
Fish,	McDonald,	D. W. Taylor,
Gartrell,	McDougald,	West,
Griffin,	Nichols,	Whitworth,
James Hardin,	Paris,	H. L. Williams,
Haynie,	Phillips,	Young,

Those who voted in the negative are, Messrs.

Anderson,	Bostwick,	W. C. Cleveland,
E. B. Arnold,	Brown,	Cody,
Armstrong,	Cameron,	Fannin,
Barnes,	Champion,	Gross,

W. P. Hardin,	Moody,	L. S. Stewart,
Harrall,	Pottle,	Strickland,
Hardeman,	Powers,	Sweat,
Hood,	Redding,	W. A. Walton,
Irwin,	Reynolds,	J. H. Walton,
Jones,	Richardson,	Walker,
Martin,	Rumph,	A. J. Williams,
McLean,	Shewmake,	Wilson,
McMullin,	J. C. Smith,	Williford,
McWhorter,	Staten,	Woodward,
Mobley,	Stephens,	

So the bill was passed.

The following message was received from his Excellency the Governor, through Mr. DeGraffenreid, his Secretary.

*Mr. Speaker*—The Governor has approved and signed an act to indemnify Henry M. Buckhalter, for loss sustained by him in consequence of the State selling to him a fractional lot of land to which it had no title; also, to indemnify William Toney, for a lot purchased by him, and lost under similar circumstances; which act has been deposited in the office of the Secretary of State.

On motion, leave of absence was granted to Mr. Williams of Sumter, for a few days.

Mr. Phillips, from the Committee on Finance, reported the following bill to the House, as a substitute:

A bill to be entitled an act to authorize the Treasurer to pay to the members, and other officers, their per diem pay, and such mileage as they may be entitled to, up to the 21st December, 1853, and recommended its passage.

The House went into Committee of the Whole, Mr. Stapleton in the chair. The committee arose, and Mr. Stapleton reported the bill back to the House, without amendment.

The report was agreed to; the bill was read the third time, and passed under the title thereof.

On motion of Mr. Smith of Camden, the House adjourned until to-morrow morning at half past 9 o'clock.

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#### THURSDAY, DECEMBER 15th, 1853,

The House met pursuant to adjournment.

Mr. Smith of Camden, moved to reconsider so much of the journals of yesterday as relates to the passage of the bill to be entitled an act to lay out and organize a new county from the counties of Gilmer and Union.

Whereupon, the yeas and nays were required to be recorded, and are : yeas 50, nays 54.

Those who voted in the affirmative are, Messrs

Anderson,	Hood,	Richardson,
E. B. Arnold,	Irwin,	Rumph,
Barnes,	Martin,	Shewmake,
Bell,	McComb,	J. C. Smith,
Bostwick,	McDonald,	Staten,
Brown,	McGregor,	Stephens,
Cameron,	McLean,	L. S. Stewart,
Carlton,	McMullin,	Strickland,
Champion,	McWhorter,	Strother,
W. C. Cleveland,	Mobley,	Sweat,
Cody,	Moody,	Thornton,
Dodds,	Pottle,	W. A. Walton,
Fannin,	Powell,	Walker,
Gross,	Powers,	A. J. Williams,
Harrison,	Radford,	Williamson,
Harrall,	Redding,	Wilson,
Hardeman,	Reynolds,	Woodward,

Those who voted in the negative are, Messrs.

Adams,	Headen,	Rice,
Alread,	Henderson,	Riley,
Andrews,	Holland,	R. A. Robinson,
Benj. Cleveland,	Hudson,	Shine,
Clements,	Latham,	W. R. Smith,
Crawford,	Leverett,	W. Smith,
Crittenden.	Linn,	Stapleton,
Dawson.	Masters,	J. Stewart,
Denham,	Manor,	Stokes,
Eberhart,	Mays,	J. Taylor,
Fields,	McDougald,	D. W. Taylor,
Fish,	Moughon,	Turner,
Griffin,	Nichols,	J. H. Walton,
James Hardin,	Paris,	West.
Haynie,	Phillips,	Whitworth,
Hatton,	Pickett,	H. L. Williams,
Hawkins,	G. R. Reid,	Williford,
Hardison,	M. Reid,	Young,

So the motion to reconsider was lost.

On motion of Mr. McDougald, the rules of the House were suspended, and the House took up the report of the committee, on the bill to be entitled an act to authorize and

require the Treasurer of the Poor School Fund in the county of Muscogee, to pay (before any other claims,) over to R. H. Calhoun, Wm. H. Green, John V. Hodge and Miss Susannah Wallis, and to each and every other teacher of poor children in said county, for the years 1851 and 1852, out of the Poor School Fund thereof, the full amount of their accounts, and all arrearages due them for teaching poor children in said years, out of any funds or out of the first that may hereafter be received, and for other purposes therein named.

Mr. Phillips offered the following amendment, to wit :

*And be it further enacted,* That the Commissioners of the Poor School Fund of Hancock county, be and they are hereby required to pay over to L. Carrington out of any funds in their hands, twenty dollars and eighty cents, for teaching poor children in the years 1850 and 1851, and that the Commissioners of the Poor School Fund of Habersham county, pay the account of Wm. E. Shelton, for teaching poor children, out of any money in hand or coming in hand ; which amendment was agreed to.

Mr. Walton of Talbot, offered the following amendment, which was agreed to, to wit :

“The Ordinary of Talbot county be and he is hereby required to pay the teachers of poor children, in said county, for the years 1851 and 1852, out of any surplus money remaining, after the payment of all accounts for teaching poor children, for the year 1853, or any subsequent year until all the accounts for said years 1851 and 1852 be paid.

The amendment was agreed to. The report as amended was agreed to, and the bill was read the third time and passed.

On motion of Mr. McDougald, the clerk was directed to communicate the same forthwith to the Senate.

Mr. Hardeman, from the Committee on Banks, made the following report, to wit :

The Committee on Banks have had under consideration the several bills herewith reported, asking the incorporation of Banks in the city of Savannah, and beg leave to report the same back to the favorable consideration of the House.

Mr. Shewmake moved the suspension of the rules of the House, to allow the following bill of the Senate to be taken up for a second reading :

The bill was taken up, read the second time, and ordered to be committed for a third reading, to wit :

A bill to be entitled an act to regulate the measuring of timber in this State, and for the appointing of measurers and inspectors of the same.

The following message was received from the Senate by Mr. Moore, their Secretary :

*Mr. Speaker*—The Senate has passed the following bills of the House of Representatives, to wit :

A bill for the relief of Nancy S. Henderson. Also,

A bill to be entitled an act to provide for the payment of certain census takers in this State, therein named, with an amendment, in which they ask the concurrence of the House. Also,

A bill to be entitled an act to lay out and form a new county from the county of Stewart and to provide for the organization of the same.

On motion of Mr. Williams of Sumter, the rules of the House were suspended, and the House took up the report of the committee, on the bill to be entitled an act to allow the several Receivers of Tax Returns of this State additional compensation for their services.

Mr. Shewmake offered the following amendment, to wit :

*And be it further enacted*, That the county of Burke be exempt from the provisions of this act.

Pending the motion to agree to said amendment, on motion of Mr. Phillips, the bill was referred to a Special Committee, consisting of Messrs. Phillips, Williams of Sumter, Shewmake, Cleveland of Crawford, and Smith of Liberty.

On motion of Mr. Reid of Irwin the rules of the House were suspended, and the following bill of the Senate was taken up, read the second time and made the special order of the day for Saturday next, to wit :

A bill to be entitled an act to lay out and organize a new county from the counties of Dooly and Irwin, and to attach the same to a Judicial and Congressional District, and to provide for the location of a county site in such new county.

On motion of Mr. Stapleton, the rules of the House were suspended.

The House took up the report of the committee, on the bill to be entitled an act to authorize the Ordinary of Tattall county to keep his office at his own house.

The report of the committee was agreed to. The bill was read the third time and passed.

The following message was received from his Excellency the Governor, through Mr. DeGraffenreid, his Secretary :

*Mr. Speaker*—The Governor has signed and approved an act for the pardon of Elijah Bird, of the county of DeKalb, now under sentence of death for the crime of murder; which act has been deposited in the office of the Secretary of State.

On motion of Mr. Masters, the rules of the House were suspended, and the following bill of the Senate was taken up, read the second time and made the special order of the day for Saturday next, to wit :

A bill to be entitled an act to lay out and organize a new

county, from the county of DeKalb, and for other purposes therein specified.

On motion, leave of absence was granted to Messrs. Smith of Liberty, and Lamar, for a few days, on special business.

Mr. Haynie moved to suspend the rules, to take up for a second reading the following bill, which was agreed to, to wit :

A bill to be entitled an act to appropriate a sum of money to remove obstructions from the Big and Little Ochopee rivers, and to render the same navigable for the transportation of timber, rafts, lumber, wood and produce thereon, and for other purposes herein mentioned.

On motion of Mr. Haynie, the foregoing bill was referred to the Committee on Internal Improvements.

Mr. Williams of Sumter, moved to suspend the rules, to take up the following bill for a third reading, which was lost, to wit :

A bill to be entitled an act to amend an act to prevent controversies concerning the boundaries of lands in this State.

On motion of Mr. Cleveland of Habersham, the rules of the House were suspended, to allow him to introduce the following resolution, to wit :

*Resolved*, That a Committee of five be appointed by the Speaker to audit the accounts of the members of the House of Representatives and its officers, up to the 21st instant, inclusive, and the mileage charged shall be confined to the nearest stage or Rail Road route from the residence of members to the seat of Government.

Mr. Trice moved an amendment, contemplating the rescinding of the two-thirds rule.

The Speaker declared the motion to amend out of order.

Mr. Trice appealed from the decision of the Chair, and upon the question "Shall the decision of the Chair stand as the judgment of the House?" the yeas and nays were required to be recorded, and are : yeas 66, nays 45.

Those who voted in the affirmative are, Messrs,

Alread,	Clark,	Harrison,
Anderson,	Benj. Cleveland,	Harrall,
E. B. Arnold,	Clements,	Hardeman,
Armstrong,	Cody,	Headen,
Barnes,	Dawson,	Mood,
Bell,	Dodds,	Hudson,
Bostwick,	Eberhart,	Irwin,
Cameron,	Fannin.	Jones,
Carlton,	Gross,	Martin,
Champion,	W. P. Harden,	McCurdy,

McGregor,	M. Reid,	Strother,
McMullin,	Reynolds,	Thornton,
McWhorter,	Richardson,	Turner,
Moody,	Riley,	W. A. Walton,
Paris,	Rumph,	J. H. Walton,
Phillips,	Shewmake,	Walker,
Poole,	Shine,	A. J. Williams.
Pottle,	J. C. Smith,	Williamson,
Powell,	Stapleton,	Wilson,
Powers,	Stephens,	Williford.
Radford,	L. S. Stewart,	Woodward,
Redding,	Strickland,	Yopp.

Those who voted in the negative are, Messrs.

Adams,	Hawkins,	Nichols,
Andrews,	Hardison,	G. R. Reid,
Bridges,	Henderson,	Rice,
W. C. Cleveland,	Holland,	N. Robinson,
Crawford,	Keith,	G. K. Smith,
Crittenden,	Latham,	W. R. Smith.
Denham,	Leverett,	W. Smith,
Durden,	Linn,	J. Stewart,
Fields,	Masters,	Stokes,
Fish,	Manor,	Sweat,
Green,	Mays,	D. W. Taylor,
Griffin,	McDonald,	Trice,
James Hardin,	McDougald,	West,
Haynie,	McLean,	Whitworth,
Hatton,	Moughon,	Young.

So the decision of the chair was sustained.

Mr. Shewmake moved to amend, by striking out the words, "Nearest stage or Rail Road route," and inserting the words, "Nearest public route;" whereupon the yeas and nays were required to be recorded, and are: yeas 77, nays 31.

Those who voted in the affirmative are, Messrs.

A. Anderson,	Carlton,	Dawson,
Arnold,	Champion,	Denham,
Armstrong,	Clark,	Eberhart,
Barnes,	W. C. Cleveland,	Fish,
Bostwick,	Cody,	Gross,
Boatright,	Crawford,	W. P. Harden,
Cameron,	Crittenden,	Haynie,

Harrison,	McWhorter,	L. S. Stewart,
Hatton,	Moody,	J. Stewart,
Hardeman,	Moughon,	Strickland,
Hawkins,	Nichols,	Strother,
Headen,	Paris,	J. Taylor,
Henderson,	Pottle,	Thernton,
Hood,	Powell,	Trice,
Hudson,	Redding,	W. A. Walton,
Irwin,	Reynolds,	J. H. Walton,
Jones,	Richardson,	Walker.
Martin,	Riley,	Whitworth,
Masters,	R. A. Robinson,	H. L. Williams,
Manor,	Shewmake,	A. J. Williams,
McComb,	Shine,	Williamson,
McCurdy,	J. C. Smith,	Wilson,
McDonald,	G. K. Smith,	Williford,
McDougald,	W. R. Smith,	Woodward,
McLean,	Stapleton,	Yopp.
McMullin,	Stephens,	

Those who voted in the negative are, Messrs.

Alread,	James Hardin,	G. R. Reid,
Andrews,	Harrall,	M. Reid,
Bell,	Hardison,	Rice,
Bridges,	Holland,	Rumph,
Benj. Cleveland,	Keith,	W. Smith,
Clements,	Latham,	Sweat,
Dodds,	Linn,	D. W. Taylor,
Durden,	Mays,	Turner,
Fannin,	McGregor,	Young,
Fields,	Pickett,	
Griffin,	Poole,	

So the motion to amend was agreed to, and the resolution as amended, was agreed to. Whereupon the Speaker appointed the following Committee under said resolution, to wit: Messrs. Cleveland of Habersham, Trice, McLean, Crittenden, and Clark.

The House took up the report of the Committee upon the bill to be entitled an act to lease the Western and Atlantic Rail Road, the same being the special order of the day.

Mr. Phillips moved to postpone said bill, and to make it the special order of the day for the 16th January, 1854; which was agreed to.

Mr. Stapleton, reported as duly enrolled, the following bill of the Senate, to wit:



A bill to be entitled an act to lay off and organize a new county from the county of Baker, and to attach the same to a judicial, Congressional and Military District.

Mr. Bell moved to suspend the rules for the purpose of taking up the following bill for a third reading. Two-thirds not voting for the suspension, the same was lost, to wit :

A bill to be entitled an act to incorporate a Female College in Cuthbert.

Mr. McComb, from the Special Committee, made the following report, to wit :

The Committee to whom was referred the petition of W W & F D. Ross, praying the Legislature to refund a certain amount of money, beg leave to report the following bill, to wit :

A bill to be entitled an act, to refund to W W & F. D. Ross, a certain amount of money, and recommend the passage of the same ; which bill was read the first time.

The House took up the report of the Committee on the bill to be entitled an act to amend the several acts of the General Assembly, in regard to the election of Public Printer, and more particularly, to prescribe the duties, liabilities and compensation of said officer, and for other purposes, the same being the special order of the day.

Mr. McComb moved to re-commit the bill for the purpose of allowing him to offer an amendment, which was agreed to.

Whereupon he offered the following amendment, to wit : To strike out the following words, to wit : " Within the limits of this State : " and to insert in lieu thereof the words, " At the seat of Government ; " which motion to strike out, was lost.

Mr. Phillips moved to postpone said bill, and to make it the special order of the day for January 17th, 1854.

Mr. McDougald offered to amend the motion of Mr. Phillips to postpone as follows, " And that one hundred and fifty copies of the substitute of the said bill be printed for the use of the House ; " which was agreed to.

The motion to postpone as amended was agreed to, and the bill was made the special order of the day for the 17th of January next.

The following message was received from the Senate by Mr. Moore, their Secretary, to wit :

*Mr. Speaker*—The Senate has this day concurred in the amendments of the House of Representatives to the bill of the Senate, to abolish, change and establish new election precincts in the counties hereinafter named ; also, in the amendments of the House to the bill of the Senate, to divide the offices of Tax Collector and Receiver of the Counties of Baker and Gwinnett.

On motion of Mr. Trice, the House adjourned until 3 o'clock, P. M.

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### THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

On motion of Mr. Martin, the rules of the House were suspended, and the House took up the bill to be entitled an act to provide for the payment of certain Census Takers of this State, therein named.

On motion of Mr. Martin, the House concurred in the following amendment of the Senate, to wit : "And that John O. Gartrell, one of the Representatives of the county of Cobb, be and he is hereby authorized to receive the amount hereby appropriated to the said Sidney M. Carruth, and receipt for the same as his attorney in fact ; and that William B. White, Senator from Elbert county, be authorized to receive and receipt for P. B. Roberts, and Thomas F. Willis in like manner.

On motion of Mr. Young, leave of absence was granted to the Committee, on the memorial of James J. Scarborough, Esq., preferring certain charges against the Hon. Abner P. Powers, for the balance of the evening.

The House then proceeded with the regular order of business.

The following bills of the senate were taken up and read the first time, to wit :

A bill to be entitled an act to confer certain rights upon the Ordinary and School Commissioners of Emanuel county, and to authorize the adjournment of the Court of Ordinary.

A bill to be entitled an act to repeal so much of the Charter of the University of Georgia, as requires an oath or oaths to be taken by the officers thereof, within three months of their entering on the discharge of their duties, and to alter and fix the time of the meeting of the *Senatus Academicus*.

A bill to be entitled an act to incorporate the Irwinton Free Church, and to appoint Trustees for the same, and for other purposes therein mentioned.

Mr. Reynolds asked leave of absence for the Committee on Journals, for the balance of the afternoon ; which was granted.

The following bills of the Senate were taken up and read the second time, in order to be committed for a third reading :

A bill to be entitled an act to amend the act to incorporate the Milledgeville Turnpike and Rail Road Company, and to

grant certain privileges to the same, passed 24th December, 1840, and the acts amendatory thereof.

A bill to be entitled an act to render valid all records made by Charles M. Pratt, as Clerk of the Superior Court of Camden county.

A bill to be entitled an act to authorize the Mayor and Council of the city of Macon, to lease certain land therein named, &c.

A bill to be entitled an act to incorporate the town of Roswell, in the county of Cobb—to provide for the election of an Intendant and Board of Commissioners for the same, and to confer upon them specified powers, and for other purposes therein mentioned.

Mr. Strother, from the Sub-Committee on the Deaf and Dumb Asylum, made the following report :

The Sub-Committee, appointed to visit in person the Deaf and Dumb Asylum, and examine the character of the buildings, improvements, &c., and report on its necessities, beg leave to submit the following report :

A majority of your committee have discharged their duty, to the best of their ability, by repairing in person to said Asylum, and making such examination into the affairs of said institution, as time and circumstances would admit.

We feel gratified that the institution, though in its infancy, and its buildings needing improvements and repairs, is yet in a state of prosperity and success, that reflects honor upon the State, and on the various guardians that control the different departments of its interests. It stands as a proud monument to science and humanity, and worthy of the fostering care of the Legislature.

We take great pleasure in commending the zeal and ability with which the educational department of the institution has been directed by the Principal Mr. O. P. Fannin, and the other Members of the Board of Instruction, and, also, the kind and parental manner which characterizes the government of the domestic department, recently under the charge of Dr. Love and lady.

We regret to learn that Dr. Love has lately resigned the office of Superintendent, and, also, his seat in the intellectual department. His kind and generous, yet firm discipline—his efficiency to communicate deaf and mute instruction—all qualify him in an eminent degree for the discharge of the responsible duties of his post.

The mechanical department, though limited to the “art of making shoes,” and the “duties of the household,” we consider an important appendage to the noble scheme of educating the unfortunate deaf mute, and of placing him in a position of independence, after leaving the institution, where he may not be forced to rely for subsistence on the kindness and charity of friends, nor be repulsed by the cold charity

of those on whom nature has lavished less of the "milk of human kindness."

We believe, from an examination of the books and reports of the officers of said institution, and from all the evidence submitted to us, that the interests of the institution, in all its different departments, have been governed with wisdom and prudence, and with as much economy, as decency, comfort, the prices of provisions and the character of the State, would possibly admit.

After examination of the necessities of the institution, in reference to buildings, repairs, facilities, &c., we recommend the following appropriations, in addition to the annual appropriation of the last session of the General Assembly, to wit:

£2,000 for building Cabinet Shop.

\$1,000 for re-covering Asylum with tin or slate.

\$2,000 for Astronomical and Philosophical Apparatus and Museum.

We further recommend, that the laws which govern the institution be so altered and amended, that all deaf mutes in the State, between the ages of 7 and 24 years, be admitted in the Asylum, free of charge; and that the time of admission, in all cases, be changed to between 7 and 24 years; that the time of instruction be extended from 4 to 6 years, and that the benefits of this provision be extended to all students, who may have been 4 years in the Asylum.

Your Committee do not see the necessity of amplifying on the various matters above recommended, as their importance is clearly shown in the very able report of Mr. O. P. Fannin, to his Excellency the Governor, for the scholastic year, ending June 30th, 1853; and, also, in the report of the Board of Visitors, appointed by his Excellency in the year 1852.

Nor do we deem it necessary to enter into details, in reference to the Treasurer's and Superintendent's Reports—an abstract of which is appended thereto. These various reports have been placed before the House, and contain evidence of their own correctness, and attest the fact, that the appropriations made have not been unwisely squandered, but economically applied to the noble and generous objects contemplated by the founders of the institution.

All of which is respectfully submitted.

C. R. STROTHER, *of Sub-Committee.*

On motion of Mr. Strother, the foregoing report was referred to the Committee on the Deaf and Dumb Asylum, with instructions to report a bill to carry out the objects contemplated in said report.

The following bill of the Senate, was taken up and read the first time, to wit:

A bill to be entitled an act to amend an and entitled an act, to appropriate money to improve the navigation of the

Altamaha and Oconee rivers, and to appoint Commissioners for the same, approved January 19th, 1852.

The following message was received from the Senate, by Mr. Moore, their Secretary :

*Mr. Speaker*—I am directed by the Senate, to transmit forthwith to the House of Representatives, the bill of the House, to allow all certain citizens of the State of Alabama to obtain letters testamentary and for other purposes, this day passed by the Senate, with an amendment, in which they ask the concurrence of the House.

The following bill of the Senate, was taken up and read the first time, to wit :

A bill to be entitled an act to make permanent the Site of the Public Buildings in Polk county, at Cedartown, in said county, and to incorporate the same, and for other purposes.

On motion of Mr. Fannin, the rules of the House were suspended, and the House took up the bill of the House, to be entitled an act to allow certain citizens of the State of Alabama to obtain letter testamentary, and for other purposes.

Whereupon, the House concurred in the following amendment of the Senate, to wit :

*And be it further enacted.* That Robert Kenny, administrator of William Kenney, late of Alabama, deceased, be, and he is hereby, authorized to advertise and sell according to law, any lands lying in this State, belonging to the estate of said deceased—any law, usage, or custom, to the contrary notwithstanding.

On motion of Mr. Crawford, the rules of the House were suspended, and the following bill of the Senate was taken up, read the second time, and made the special order of the day for Tuesday next, to wit :

A bill to be entitled an act to incorporate the Cassville Female Academy, located in the town of Cassville, Georgia, and to incorporate the Cherokee Baptist College, located at the same town, and to confer on the Commissioners of the town of Cassville, the power to grant license to retail ardent spirits, and for other purposes therein named.

Mr. Arnold being in the Chair, on motion of Mr. Ward, the rules of the House were suspended, and the House took up the report of the committee, on the bill to be entitled an act to incorporate a Bank in the city of Savannah, to be called the Mechanics Saving Bank.

The report was agreed to. The bill was read the third time and passed.

Mr. Phillips reported the following bill back to the House, to wit :

A bill to be entitled an act to appropriate money for the political years 1854 and 1855, and for other purposes.

The House went into Committee of the Whole, Mr. Ar-

nold in the chair upon said bill. The committee arose and Mr. Arnold reported the bill back to the House, without amendment.

On motion of Mr. Phillips, the bill was laid upon the table, for the present.

On motion of Mr. Haynie, the rules of the House were suspended, and the following bill was taken up, read the second time, and was ordered to be committed for a third reading, to wit :

A bill to be entitled an act to change the lines between the counties of Cass and Gordon, and Floyd and Gordon.

On motion of Mr. Cleveland of Crawford, the rules of the House were suspended, and the House took up the report of the committee, on the bill to be entitled an act, to attach a portion of Crawford county to the county of Taylor.

The report of the committee was agreed to. The bill was read the third time and passed.

On motion of Mr. Fannin, the rules of the House were suspended, and the House took up the report of the committee, on the bill to be entitled an act for the relief of Benjamin H. Cameron, of Troup county.

The report was agreed to. The bill was read the third time and passed, under the title thereof.

On motion of Mr. Turner, the rules of the House were suspended, and the House took up the report of the committee, on the bill to add that part of Gordon county, that joins the lands of Farish Carter, belonging to said Carter, to the county of Murray.

The report of the committee was agreed to. The bill was read the third time and passed.

Mr. Gross presented the petition of Dr. P. S. Smythe Ogelvie, praying relief by payment for services rendered as a Physician, to certain paupers of Scriven county, therein named.

On motion of Mr. Gross, the petition was referred to the Committee on Petitions.

The House then proceeded to the regular order of business. The following bills were taken up and read the second time, in order to be committed for a third reading.

A bill to be entitled an act to authorize the Governor of this State to cause be paid to the School Commissioners of Tattnall county, certain money.

A bill to be entitled an act to appropriate one thousand dollars to open the Canoochee river, from Talman's Old Bridge to the Fifteen Mile Creek, and to appoint Commissioners for the same.

A bill to be entitled an act to authorize the Ordinary of the county of Upson, to pay over to Green H. Perdue, the sum of money due him, for teaching poor children in said county, in the year 1852.

A bill to be entitled an act to abolish an election precinct

at the house of Robert M. Cox, in the 541st District, Georgia Militia in the county of Houston.

A bill to be entitled an act to define the line between the counties of Wayne and Ware, so far as relates to the south side of Satilla river.

A bill to be entitled an act to extend the corporate limits of the town of Sandersville.

A bill to be entitled an act, to incorporate the Dalton and Copper Mines Turnpike, Plank and Rail Road Company.

On motion of Mr. Phillips, the rules of the House were suspended, to allow him to introduce the following resolution, to wit :

*Resolved*, By the Senate and House of Representatives, that the Surveyor General and Secretary of State be authorized each to employ a clerk after this day, up to the 21st instant, to enable those officers to meet the demands upon them by the members of the General Assembly, before the recess.

Mr. Phillips moved to take up and adopt said resolution.

Whereupon, the yeas and nays were required to be recorded, and are : yeas 11, nays 74.

Those who voted in the affirmative are Messrs.

Adams,	Latham,	R. A. Robinson,
Andrews,	McLean,	Stokes,
Benj. Cleveland,	Phillips,	Young,
Cody,	Pickett,	

Those who voted in the negative are, Messrs.

Alread,	Fannin,	Masters,
Anderson,	Fish,	Manor,
E. B. Arnold,	Grant,	McDonald,
Barnes,	Griffin,	McGregor,
Bell,	Gross,	McMullin,
Bridges,	Haynie,	Moody,
Brown,	Harrall,	Nichols,
Cameron,	Hatton,	Paris
Carlton	Hardeman,	Poole,
Champion,	Hawkins,	Pottle,
W. C. Cleveland,	Hardison,	Powell,
Clements,	Headen,	Powers,
Crittenden,	Henderson,	Radford,
Dawson,	Hood,	Redding,
Denham,	Holland,	G. R. Reid,
Dodds,	Hudson,	M Reid,
Durden,	Linn,	Reynolds,
Eberhart,	Martin,	Richardson

Riley,	Stephens,	W. A. Walton,
Rumph,	J. Stewart,	West,
Shewmake,	Strickland,	Whitworth.
W. R. Smith,	Strother	H. L. Williams,
Wm. Smith,	J. Taylor,	Williamson,
Stapleton,	Thornton,	Williford,
Staten,	Turner,	

So the resolution was lost.

Mr. Young moved to suspend the rules, to take up the bill, for the pardon of J. L. D. Register, of the county of Troup, now under sentence of death, for the crime of murder; which motion was lost.

On motion, leave of absence was granted to Messrs. Woodward and Sweat, for a few days.

On motion of Mr. Pottle, the House then adjourned until half-past 9 o'clock, to-morrow morning.

## FRIDAY, DECEMBER 16th, 1853.

The House met pursuant to adjournment.

On motion, leave of absence was granted to Messrs. Strickland, Radford and Staten for a few days, on special business.

On motion of Mr. Pottle, the rules of the House were suspended, to allow him to introduce a bill.

Mr. Pottle reported

A bill to be entitled an act, for the pardon of George W. Ray, Junior, of the county of Houston, now under the sentence of Death for the crime of murder.

On motion of Mr. Pottle, one hundred and fifty copies of the testimony in the case of the State vs. George W. Ray, were ordered to be printed for the use of the House.

On motion of Mr. Harrison, the rules of the House were suspended, and the House took up the report of the Committee on the bill to be entitled an act to repeal that part of the 10th Section of an act, for the government and management of the Western and Atlantic Rail Road, approved January 15th 1852, which relates to the election of Superintendent of said Road. The report was agreed to.

And upon the question, "Shall this bill now pass?" the yeas and nays were required, and are : yeas 75, nays 36.

Those who voted in the affirmative are Messrs.

Adams,	Anderson,	E. B. Arnold,
Alread,	Andrews,	Armstrong,



Barnes,	Hardeman,	Richardson,
Bell,	Hawkins,	Riley,
Bostwick,	Headen,	R. A. Robinson,
Boatright,	Hood,	N. Robinson,
Brown,	Holland,	Shewmake,
Cameron,	Irwin,	W. R. Smith.
Carlton,	Jones	Stapleton,
Champion,	Leverett,	Staten,
Clark,	Linn,	Stephens,
Benj. Cleveland,	Masters	L. S. Stewart,
W. C. Cleveland,	Mays	Strickland,
Crawford,	McCurdy,	Strother,
Dawson,	McGregor,	J. Taylor,
Denham,	McMillan,	Thornton,
Dodds,	McWhorter,	Trice,
Durden,	Moody,	W A. Walton,
Eberhart,	Paris,	J. H. Walton,
Fannin,	Phillips,	Walker,
Fish,	Pickett,	H. L. Williams,
Grant,	Pottle,	Williamson,
Gross,	Powers,	Williford,
James Hardin,	Radford,	Young,
Harrison	Reynolds,	
Harrall,	Rice,	

Those who voted in the negative are Messrs.

Clements,	Lamar,	M Reid,
Crittender,	Latham,	Rumph,
Fields,	Martin,	Shine,
Gartrell.	Manor,	G. K. Smith,
Green,	McComb,	Wm. Smith,
Griffin,	McDougald,	J Stewart,
Haynie,	McLean,	Stokes,
Hatton.	Mobley,	Sweat,
Hardison,	Nichols,	D W Taylor
Henderson,	Poole,	Turner,
Hudson,	Redding,	West
Keith,	G R Reid,	Whitworth,

So the bill was passed ; and the Clerk was directed to transmit this to the Senate forthwith.

The House took up the report of the Committee on the bill to be entitled an Act, to levy and collect a tax for each of the political years 1854 and 1855, and thereafter until repealed, and to revive and continue in force such parts of the general or special tax laws heretofore passed, as may be consistent with the provisions of this Act.

Mr. Latham moved that the bill be postponed, and made the special order of the day for the 18th January, 1854.

Whereupon the yeas and nays were required to be recorded, and are : yeas 69, nays 44.

Those who voted in the affirmative are Messrs.

Adams,	Hatton,	Powell,
Anderson,	Hardeman,	Redding,
Andrews,	Hawkins,	G. R. Reid,
E B Arnold,	Holland,	M. Reid.
Bostwick,	Hudson,	Richardson.
Boatright,	Irwin,	Rumph,
Brown,	Jones	G. K. Smith,
W. C. Cleveland,	Lamar,	W R. Smith,
Clements.	Latham.	W. Smith,
Cody,	Leverett,	Stapleton,
Dodds,	Linn,	Stephens,
Durden,	Mays,	L S Stewart.
Fannin,	McComb,	Stokes,
Fish,	McDonald,	Strickland,
Gartrell,	McDougald,	Strother,
Grant,	McLean,	Sweat.
Green,	McMullin,	D. W Taylor.
Griffin,	McWhorter.	Thornton,
Gross,	Moody.	W. A. Walton,
J. Hardin,	Nichols.	J. H. Walton,
Haynie,	Phillips,	West,
Harrison,	Poole,	H. L. Williams,
Harrall,	Pottle,	Williamson,

Those who voted in the negative are Messrs.

Alread,	Hardison,	Rice.
Armstrong,	Headen,	Riley.
Barnes.	Henderson,	R, A. Robinson,
Bell,	Hood.	Shewmake,
Bridges,	Keith,	Shine,
Cameron,	Martin,	Staten.
Champion,	Manor,	J Stewart
Clark.	McCurdy,	J. Taylor,
Benj. Cleveland.	McGregor,	Trice,
Crawford,	Mobley.	Turner,
Dawson,	Paris	Walker.
Denham.	Pickett.	Whitworth,
Eberhart,	Powers.	Williford,
Fields.	Radford,	Young.
W P. Harden,	Reynolds.	

So the motion to postpone was agreed to.

Mr. Stapleton reported as duly enrolled a bill to be entitled an act to divide the offices of Receiver of Tax Returns and Tax Collector, of the counties of Baker, Gwinnett and Pulaski. Also,

An act to add a portion of Habersham county to the county of Lumpkin, and to amend an act to add the tract of land known as Sherwood's Mill Tract, in Hall county, to the county of Gwinnett, approved January 12th, 1852.

On motion, leave of absence was granted for the balance of the day, to the Committee on the memorial of James J. Scarborough, Esq., preferring certain charges against the Hon. Abner P. Powers.

The following message was received from his Excellency the Governor, through Mr. De Graffenreid, his Secretary:

*Mr. Speaker*—The Governor has signed and approved an act to amend the several acts relating to the Court of Common Pleas and of Oyer and Terminer of the city of Savannah, and for other purposes; which act has been deposited in the office of the Secretary of State.

Mr. Stapleton, from the Committee on Enrolment, reported the following bills as having been duly enrolled, to wit:

A bill to be entitled an act for the payment of certain census takers of this State, therein named.

A bill to be entitled an act to lay out and form a new county from the county of Stewart, and to provide for the organization of the same.

A bill to be entitled an act for the relief of Nancy S. Henderson.

A bill to be entitled an act to allow certain citizens of the State of Alabama, to obtain letters testamentary, and for other purposes, and to authorize Robert Kenney, administrator, to sell lands in this State.

The House then proceeded with the call of the counties, and the the following bills were introduced and read the first time, to wit:

Mr. Harrison reported

A bill to be entitled an act to change the laws now in force in this State, relating to the arrival within the limits of this State, of colored seamen. Also,

A bill to be entitled an act to appropriate a sum of money for the Savannah Medical College.

Mr. Trice moved for a call of the House, which was agreed to.

Whereupon the following members answered to their names to wit: Messrs.

Adams,	Barnes.	Carlton.
Alread,	Bridges,	Benj. Cleveland,
Anderson,	Brown,	Clements.
E. B. Arnold,	Cameron.	Crawford,

Crittenden,	Martin.	Shine.
Dawson,	Masters.	W. R. Smith.
Denham,	Manor,	W. Smith,
Eberhart,	McComb,	Stapleton,
Fields,	McGregor,	Staten,
Fish,	McLean,	Stephens,
Griffin,	McMullin,	L. S. Stewart,
Gross.	McMillan,	J. Stewart,
Haynie.	Moody.	Strickland,
Harrison.	Moughon,	Sweat,
Harrall,	Nichols,	Thornton,
Hardeman,	Paris,	Trice,
Hardison,	Pickett,	Turner,
Henderson,	Pottle,	West.
Hood,	Powell.	Whitworth.
Holland,	Redding,	H. L. Williams,
Hudson,	G. R. Reid.	Williamson.
Jones,	Reynolds,	Williford,
Keith,	Richardson,	Young,
Leverett,	Rumph,	
Linn.	Shewmake,	

A quorum being present, the House proceeded with the call of the counties, and the following bills were introduced and read the first time, to wit :

Mr. Stewart reported

A bill to be entitled an act for the relief of T. E. C. Butts.

Mr. Richardson reported

A bill to be entitled an act to authorize Patrick Gross, of the county of Lee, to establish a ferry across Flint river, on his own land.

Mr. Gross reported

A bill to be entitled an act to repeal all laws requiring retailers or venders of any kind of intoxicating liquors to obtain a license for such purpose, either from the Inferior Court or from the corporate authorities of any town or city in this State.

Mr. McDougald reported

A bill to be entitled an act for the relief of Nathaniel Mangum, of DeKalb county, and to appropriate to said Mangum a sum of money therein named.

Mr. Crittenden reported

A bill to be entitled an act for the relief of Ellison Grace, of Spaulding county.

Mr. Mays reported

A bill to be entitled an act to appropriate a certain sum of money to Daniel O. Callahan, of the county of Gordon, and to provide for the payment of the same.

Mr. Gross offered the following resolution, to wit :

*Resolved*, That the House of Representatives, after to-day, have no regular order for business, until after recess, but act on whatever matter may be called up in conformity with the rules of the House.

On motion of Mr. Phillips, the rules of the House were suspended, and the following resolution was taken up and adopted, to wit:

*Resolved*, That the claims of the creditors of the Bank of Darien, long pending against the State, and reported on at various sessions since the year 1844, be referred to the Committee on Banks, and that said committee be instructed to report a plan for a just settlement of the same.

Mr. Latham reported

A bill to be entitled an act to incorporate the town of Fairburn, in the counties of Fayette and Campbell.

Mr. Powell reported

A bill to be entitled an act to protect ferry boats and other water crafts used in ferrying over any of the rivers and waters of this State, from wanton injuries committed by steam boats navigating the same, and to authorize the recovery of damages from injuries sustained by such collisions, and to define the mode of procedure in such cases.

Mr. Wilson reported

A bill to be entitled an act to change the name of Sarah Locklin, of Hancock county, to that of Sarah McWhorter.

On motion of Mr. Martin, the rules were suspended, and the following Senate bill was taken up and read the second time and ordered to be committed for a third reading, to wit:

A bill for the relief of the stockholders in the Ruckersville Banking Company.

On motion of Mr. Walton of Talbot, the rules of the House were suspended, and the House took up the report of the committee, on the bill to be entitled an act to alter and define the county line between the counties of Talbot and Taylor, and straighten the same.

The report was agreed to. The bill was read the third time and passed.

On motion of Mr. Yopp, the rules of the House were suspended, and the House took up the report of the committee, on the bill to be entitled an act to regulate the measuring of timber in this State, and for the appointing of Measurers and Inspectors of the same.

Mr. Mobley offered the following amendment, to wit:—

“Provided, that the provisions of this act, shall not extend to the counties of Lumpkin, Cass, DeKalb, Harris, Franklin and Carroll.”

Mr. Bell offered the following amendment, to wit:—

“Provided, that the provisions of this act, shall not apply to the counties of Stewart, Henry and Elbert.”

Mr. Richardson offered the following amendment :—  
 “Provided, that Lee county is exempt from the provisions of this act.”

Mr. Rice offered the following amendment, to wit :—  
 “Provided, that this act shall not extend to the county of Forsyth.”

Mr. Fields offered the following amendment, to wit :

*And be it further enacted,* That the counties of Cherokee, Cobb, Pickens and Gwinnett, be exempt from the provisions of said bill.”

Mr. Phillips offered the following amendment, to wit :—  
 “Provided, that the counties of Habersham, Meriwether, Floyd, Crawford, Walker, Morgan and Clark, be exempt from the provisions of this act.”

Mr. Trice offered the following amendment, to wit :—  
 “Except the counties of Pike, Jasper, Coweta and Cobb.”

On motion of Mr. Mobley, the bill, with the amendments, was laid on the table for the present.

The House took up the report of the committee, on the bill to be entitled an act to authorize and require the Tax Collector of the county of Macon to pay over the State tax, for the year 1853 to the Justices of the Inferior Court of said county, for the use thereof.

The report was agreed to.

Mr. McWhorter moved to recommit the bill, to enable him to offer an amendment ; which was agreed to.

Mr. McWhorter then offered the following amendment, to wit : “And that the Tax Collector of Oglethorpe county pay over to the Inferior Court, for county purposes, twelve hundred dollars of the State tax ; it being the amount paid out for expenses incurred by small pox in the year 1851.”

Mr. Poole moved to lay the bill and amendment upon the table, for the balance of the session.

Whereupon the yeas and nays were required to be recorded, and are , yeas 69, nays 35.

Those who voted in the affirmative are, Messrs.

Adams,	Benj. Cleveland,	Hatton,
Alread,	W. C. Cleveland,	Hardison,
Anderson,	Clements,	Headen,
Andrews,	Cody,	Henderson,
E. B. Arnold,	Crittenden,	Hendrick,
Barnes,	Dawson,	Hood,
Bostwick,	Durden,	Holland,
Boatright,	Fannin,	Hudson,
Bridges,	Fields,	Jones,
Cameron,	Fish,	Keith,
Carlton,	Griffin,	Leverett,
Champion,	J. Hardin,	Masters,

Maxwell,	Phillips,	W. R. Smith,
Manor,	Pickett,	Stokes,
Mays,	Poole,	Strickland,
McComb,	Powell,	Sweat,
McGregor,	Radford,	Turner,
McLean,	G. R. Reid,	W. A. Walton,
McMillan,	M. Reid,	J. H. Walton,
Mobley,	Reynolds,	West,
Moody,	Rice,	Whitworth,
Moughon,	R. A. Robinson,	Williamson
Nichols,	Rumph,	Wilson,

Those who voted in the negative are Messrs.

Bell,	Hawkins,	W. Smith,
Brown,	Linn,	Staten,
Clark,	Martin,	Stephens,
Crawford,	McDonald,	L. S. Stewart,
Denham,	McMullin,	J. Stewart,
Dodds,	McWhorter,	Strother,
Eberhart,	Paris,	J. Taylor.
Grant,	Pottle,	D. W. Taylor,
Haynie,	Redding,	Thornton,
Harrison,	Richardson,	H. L. Williams,
Harrall,	Riley,	Young,
Hardeman,	Shewmake,	

So the motion was agreed to, and the bill and amendment was laid upon the table, for the balance of the session.

The House took up the report of the committee, on the bill to be entitled an act to authorize the taxes of Appling county, for the years 1854 and 1855, to be retained by the Inferior Court of said county, to build an Academy in the town of Holmesville, and for other purposes therein mentioned.

The report was disagreed to. The bill was read the third time and lost.

The following message was received from the Senate, by Mr. Moore, their Secretary :

*Mr. Speaker*—I am instructed by the Senate, to transmit forthwith to the House of Representatives, the bill of the House, incorporating the city of Dalton, in the county of Whitfield, this day passed by the Senate, with amendments, in which they ask the concurrence of the House.

The Senate has also passed the bill of the House, to remove an election precinct in the county of Meriwether, with amendments, in which they also ask the concurrence of the House.

The House went into Committee of the Whole, upon the

bill to be entitled an act, for the relief of Jesse Monroe, of the county of Cherokee, and to appropriate certain monies, for the benefit of certain persons therein named, Mr. Arnold being in the Chair. The committee rose, and reported the bill back to the House, without amendment.

Mr. Bell moved to lay the bill on the table, for the balance of the session.

Whereupon, the yeas and nays were required to be recorded, and are: yeas 17, nays 74.

Those who voted in the affirmative are, Messrs.

Adams,	Jones,	Stapleton,
Bell,	McMullin,	Stephens.
Brown,	McWhorter,	L. S. Stewart,
Cody,	Pottle,	Trice.
Grant,	Rumph,	Wilson,
Hood,	W. R. Smith,	

Those who voted in the negative are Messrs.

Alread,	Hawkins,	Redding,
Andrews,	Hardison,	G. R. Reid.
E B Arnold,	Headen,	M. Reid,
Barnes,	Henderson,	Reynolds,
Boatright,	Hudson.	Rice,
Bridges,	Keith,	Richardson,
Carlton,	Leverett,	Riley,
Clark,	Linn,	R. A. Robinson,
Benj. Cleveland,	Martin,	Shewmake,
W. C. Cleveland,	Masters,	Shine,
Crawford,	Maxwell,	W. Smith,
Dawson,	Manor,	Staten,
Denham,	Mays,	J. Stewart,
Durden,	McComb,	Strickland,
Eberhart,	McDonald,	Strother,
Fannin.	McGregor,	J. Taylor,
Fields,	McLean,	D. W. Taylor,
Fish,	Moody,	Turner.
Griffin,	Moughon,	W. A. Walton,
J Hardin,	Nichols,	J. H. Walton,
Haynie,	Paris,	Whitworth,
Harris,	Pickett,	H. L. Williams.
Harrel,	Poole,	Williamson,
Hatton,	Powers,	Williford,
Hardeman,	Radford,	Young,

So the motion to lay on the table was lost.



Mr. Fannin moved that said bill be referred to the Committee on Finance.

Mr. Phillips moved to amend said motion, as follows, to wit: "That said bill be referred to a Select Committee, of Three;" which was agreed to.

The motion, as amended, was agreed to, and the said bill was referred to a Select Committee, consisting of Messrs. Fannin, Fields and Haynie.

On motion of Mr. Pottle, the House adjourned until 3 o'clock, P. M.

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### THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

The House proceeded with the regular order of business, which was the reading of Senate bills the second time, as follows, to wit:

A bill to be entitled an act to grant certain exemptions to the Liberty Independent Troop and Liberty Guards, of the 1st Squadron, 1st Division, Georgia Militia.

A bill to be entitled an act to authorize the Mayor and Council of the city of Macon, to lease certain land therein named, &c.

A bill to be entitled an act to incorporate the Greensboro Female College, in the county of Greene, and to appoint Trustees for the same; and to authorize the Trustees of Greensboro Female Academy to convey by deed the Academy lot, in the town of Greensboro.

A bill to be entitled an act to repeal an act, assented to on the 22d day of January, 1852, amendatory of the road laws of this State, so far as relates to the county of Baldwin.

On motion of Mr. McDougald, the rules of the House were suspended, and the House took up the bill of the House, to be entitled an act to incorporate the town of Dalton, in the county of Whitfield, under the name of the city of Dalton, and to provide for the election of Mayor and City Councilmen, and such other officers as may be required, and confer upon them certain powers herein mentioned, and to make permanent the location of the Court House and Jail in said county of Whitfield.

On motion of Mr. McDougald, the House concurred in the several amendments made by the Senate, which relate to the cities of Columbus, Macon and Atlanta.

On motion, leave of absence was granted to the Subcommittee on the Penitentiary, for this evening.

On motion of Mr. Phillips, the House took up the bill of the House, to be entitled an act to remove an election precinct in the county of Meriwether, therein specified.

On motion of Mr. Phillips, the House concurred in the several amendments of the Senate.

On motion, the rules of the House were suspended, and the House took up the report of the committee, on the bill to be entitled an act to authorize the Will's Valley Rail Road Company, incorporated by the Legislature of the State of Alabama, and any Rail Road Company incorporated by the State of Alabama, that may be associated with the Will's Valley Rail Road Company, to construct a Rail Road through the county of Dade, and State of Georgia, to some point on the Nashville and Chattanooga Rail Road in said county of Dade, and State of Georgia, and for other purposes.

Mr. Redding offered the following amendment; which was agreed to: "Provided, that nothing in this charter, shall exempt said Company from liability, and they are hereby made liable under existing laws, or in any other manner that the Legislature may by law provide, for all damages sustained by any individual or individuals, from the loss or crippling of all kinds of stock, or any other species of property whatever, by the running of the locomotives, cars, engines, or any other locomotive power on said road, and, also, are, and shall be, liable for all injuries received by any individual or individuals, or damage done him, her or them, by the running said cars, engines, locomotives, or other locomotive power on said road; and in the event death ensue, then the right of action and recovery shall survive to his, her or their representative or representatives, against the said company, for said damages; and in all suits and controversies arising from causes aforesaid, the said Company shall be considered as *prima facie* at fault, and the burden of proof, showing themselves excusable, shall rest upon said Company."

Mr. Walker reported the following bills back to the House, and recommends that they do not pass, to wit:

A bill to be entitled an act, to authorize the Governor of this State to issue State bonds to the Ellijay Rail Road Company, and for other purposes therein mentioned.

A bill to be entitled an act, to authorize the Governor to purchase iron, and loan the same to the Brunswick and Florida Rail Road Company.

A bill to be entitled an act, to authorize the Governor to appropriate money, to aid in the construction of the Lumpkin and Forsyth Rail Road.

A bill to be entitled an act to create and establish a system of Internal Improvements in the State of Georgia, and to provide ways and means to carry the same into effect, and for other purposes therein named.

Mr. Walker reported the following bill back to the House and recommends the passage of the same, to wit:

A bill to be entitled an act, to appropriate a sum of money, to remove the obstructions from the Big and Little Ohoopée rivers, and to render the same navigable for the transportation of timber, rafts, lumber, wood and produce thereon, and for other purposes herein mentioned.

Mr. Latham made the following report, to wit:

The Committee who were appointed to examine into the condition of the Western and Atlantic Rail Road, having discharged the duties assigned them, ask leave to submit the following report:

“Having secured the services of a competent civil engineer, Mr. William G. Bonner, the committee proceeded to Atlanta, the eastern terminus of the road, and spent some time in examining into the affairs of the institution at that particular station. On examination into the books and accounts of the various offices connected with the Western and Atlantic Rail Road, the committee found the statements and estimates of the expenditures and profits recently made by the principal Superintendent, George Yonge, Esq., to his Excellency, Governor Cobb, to be substantially correct in every particular. The books and accounts kept by the present Auditor, Williams Rutnerford, Jr. Esq., were examined into minutely, and they exhibit a system of transacting the various business connected with the road, which met with the most unqualified commendation of every member of the committee. The Treasurer’s and Secretary’s books were likewise examined into, with the same gratifying results. The system of doing business, as well in, as out of doors, adopted by the present principal Superintendent; the industry, energy, and ability of his principal officers—their checks upon each other, and upon all the agents, and operatives on the road, have succeeded in establishing the proposition clearly and conclusively, that the Western and Atlantic Rail Road, with proper management can, and will yield, a liberal compensation to Georgia, for the energy and liberality of her people in the erection of so stupendous a monument of her enterprize and intelligence. Heretofore, the road has been badly managed; her motive power was crippled—the superstructure was decayed—there was a want of practical experience in those who were her managers. All these things, and a number of other reasons, consequent upon them, conspired to retard her progress onward. But now, order seems to have been brought out of confusion, and the Western and Atlantic Rail Road, when properly administered, without any other aid than her own rich resources, will support herself, and from her earning, pour her treasures into the lap of Georgia; thus, enabling her to pay her debts, educate her people, and relieve them from onerous taxation.

“The committee, after having completed their examina-

tions at Atlanta, proceeded along the line of said Rail Road to Chattanooga, the Western terminus. They looked into the condition of the books and accounts of the different agents at the several depots along the road. They found all correctly and neatly kept, corresponding with the exhibits made by the officers at Atlanta, in every particular; in truth, the books at Atlanta, are a transcript from the books kept by every agent at the different depots. Such is the order and system adopted in the management of every species of business, in the most minute transactions of the officers and agents, that an examination into the books at head-quarters, exhibited the true condition of the road in every particular. Your committee can safely add, that there is no enterprize of a like character in the State, which is managed with more order and system, than are the offices of the Western and Atlantic Rail Road.

"At Chattanooga, the agent and commission merchants seem to have had some unpleasant misunderstandings.—Col. Bishop, the agent, being absent from the station, your committee did not examine into the character of the charges preferred against him, and he having since that time resigned, and another courteous and efficient officer, Williams Rutherford, Jr. Esq., appointed to that station, (*ad interim*) would seem to indicate that there is no necessity for any investigation into said charges, by the committee, at this particular time; but, they reserve the right of making a subsequent report upon that subject. There are suits pending for a large amount in the courts of Tennessee against the Western and Atlantic Rail Road—the testimony had not been taken, and of course the committee did not go into an investigation of their merits, and, inasmuch as the State interests to a large amount, and important legal principles are involved in those cases, your committee would recommend that an act be passed by the Legislature, authorizing the Governor to engage the services of some able and efficient lawyer of Georgia to take charge of, and conduct those cases to a final settlement.

"With regard to the Engineer's Department, the committee herewith transmit the report of the Civil Engineer, who accompanied them in their investigation on the road, and beg leave to adopt his report as their own, upon the subjects of which it treats. All of which is respectfully submitted."

R. A. T. RIDLEY,  
T. A. LATHAM,  
WM. H. DABNEY,  
GEO. P. HARRISON,  
JAMES M. DODDS.

MILLEDGEVILLE, DEC. 15th, 1853.

*To Dr. R. A. T. Ridley, Chairman of Committee :*

Sir—In compliance with the request you make of me, “to state in *writing*,” the result of my observations on the “Western and Atlantic Rail Road,” I have the honor, briefly, to submit the following impressions left on my mind after a cursory examination of its condition.

The inspection, although a hasty one, was quite sufficient to reveal the gratifying fact, that the *road-bed*—in striking contrast with its condition two years ago—is in excellent order. The cuts are so drained, as to disallow the “chuming” of the cross ties—the side ditches being of sufficient width and depth to discharge all the water that falls in them. The embankments are fully up to the grade line, and are unrestrained in width. The culverts are built of Stone, of good quality, in a workmanlike manner, and are amply spacious. The bridges, with two exceptions, are well constructed, and are in a good state of preservation: an embankment should be substituted immediately for the dilapidated bridge over Alatoona Creek. An new viaduct is now in course of construction to supply the place of the decayed one over the Etowah River.

The superstructure between Atlanta and the Oostanaula River, (85 miles) is composed of U and T rails, laid on cross ties, and is nicely adjusted to a smooth surface and good alignment. This part of the line compares favorably with any road in the southern country. From the Oostanaula, to Dalton, (15 miles) the superstructure consists of a light flange rail, laid on wooden stringers. This track is incapable of sustaining the heavy tonnage destined to pass over the road, and should give place at an early day to one more substantial. The flange rail, laid on continuous bearing, is also used between Dalton and Chattanooga, (38 miles) but is of a heavier pattern, and answers all the purposes for present transportation.

The stations along the line are well supplied with fuel and water. The freight and passenger depots, the machine shops and engine houses finished and being built are all massive structures, projected on a scale of grandeur and magnificence corresponding with the lofty character of our State, without stint as to spaciousness or the slightest parsimony in expenditure.

The present condition of the road reflects the highest credit on those who now have it in charge, and the present skilful engineer, G. G. Hull, and energetic supervisor, Mr. Baron, are entitled to commendation, for their faithful and energetic discharge of their respective duties. It is not perhaps my province, as your engineer, to speak of the transportation department, but in justice to the gentlemanly and

efficient superintendent, I may be pardoned for venturing to add that the engines are all kept in the nicest order, appearing as though they were just from the manufacturer's shop. The passenger cars are kept clean and comfortable. The freight cars belonging to the State, and made at the Penitentiary, are equal to any on the road. The trains seem to run with the regularity of a chronometer, and in every thing that pertains to system, order and good government, Mr. Yonge's management meets with my unqualified approval.

Respectfully submitted.

W G. BONNER.

Upon motion of Mr. Phillips, the House went into Committee of the Whole—Mr. Arnold in the chair—upon the bill to be entitled an act to appropriate money for the political years 1854 and 1855, and for other purposes.

After spending sometime thereon, upon motion, the committee rose and reported the bill back to the House, with the following amendments, to wit :

In the section appropriating money for a military fund, by striking out "one thousand," and inserting in lieu thereof, "nine hundred."

In the section appropriating money to pay the expenses of the Select Committee to visit the Western & Atlantic Rail Road, by inserting the following, to wit :

"That said committee shall be paid the actual expenses incurred by them, of which they shall render an account." Also an additional section, as follows, to wit :

*"And be it further enacted,* That the sum of fourteen dollars and seventy-five cents be and the same is hereby appropriated to James E. May, of Fayette county ; being an excess of tax paid by him, in the year 1851, over and above the amount of tax due on his taxable property, and that Daniel D. Denham be authorized to receive and receipt for the same." Also,

An additional section : "That the actual expenses of the committee appointed to visit the Deaf and Dumb Asylum be paid, of which they shall render an account."

On motion, the report of the committee, as amended, was agreed to. The bill was read the third time and passed.

Mr. Fields moved to suspend the rules, to allow him to introduce the following resolution, to wit :

*Resolved,* That the Comptroller General be required to furnish this house with the valuation of each species of taxable property in this State, with the amount of tax assessed thereon, by the present tax law, for the year 1853.

On motion of Mr. Fields, the foregoing resolution was taken up and adopted.

On motion, leave of absence, was granted to Mr. Latham,

for to-morrow, and on motion of Mr. Pottle, leave of absence was granted to Mr. Cody, after Monday next.

On motion of Mr. Hardeman, the House adjourned until to-morrow morning, at half-past 9 o'clock.

## SATURDAY, DECEMBER 17th, 1853.

The House met pursuant to adjournment.

On motion of Mr. Fields, so much of the Journal of yesterday as relates to the adoption of the resolution calling upon the Comptroller General for the amounts of taxes paid in the several counties of this State, on the different species of property, in the year 1853, was reconsidered.

On motion of Mr. Mobley, the rules of the House were suspended, and the following bill was taken up, read the second time, and ordered to be engrossed for a third reading, to wit :

A bill to be entitled an act to repeal so much of the 3d Section of an act entitled an act to provide for the education of the poor, approved January 22d, 1852, as prevents the provision of said act being extended to the county of Lumpkin, and that the provision of said act be extended to said county of Lumpkin.

On motion of Mr. Nichols, the rules of the House were suspended, and the following Senate bill was taken up, read a second time and ordered to be committed for a third reading, to wit :

A bill to be entitled an act to alter and change the times of holding the Superior Courts for the counties of Meriwether and Laurens, and regulate the same, and to change the sessions of the Court of Common Pleas, of Augusta.

On motion of Mr. Clark, the rules of the House were suspended, and the House took up the report of the committee on the Senate bill to be entitled an act for the relief of the stockholders in Ruckersville Banking Company.

The report of the committee was agreed to. The bill was read the third time and passed.

Upon motion of Mr. Clark, the Clerk was directed to convey the same forthwith to the Senate.

On motion of Mr. Haynie the rules of the House were suspended, and the House took up the report of the committee on the bill to be entitled an act to change the lines between the counties of Cass, Gordon and Floyd.

Mr. Walton of Talbot, offered the following amendment, to wit : "And that the county line between Taylor and Talbot shall be so altered and changed, as to include the land and residence of George A. Heath, now of the county of Taylor, in the county of Talbot."

Whereupon the yeas and nays were required to be recorded, and are : yeas 33, nays 67.

Those who voted in the affirmative, are Messrs.

Airead,	Dawson,	Radford,
Anderson,	Grant,	Richardson,
E B Arnold,	Gross,	Riley,
Barnes,	W P. Harden,	Stapleton,
Bell,	Hood,	Staten,
Bostwick,	Martin,	Stephens,
Brown,	Maxwell,	L S Stewart,
Carlton,	McWhorter.	Thornton,
Champion,	Mobley,	W. A. Walton,
Clark,	Moody,	J. H. Walton,
Cody,	Paris,	Wilson,

Those who voted in the negative are, Messrs.

Adams,	Jones,	R A Robinson,
Andrews.	Keith,	Rumph,
Boatright,	Leverett,	Shewmake,
Bridges,	Linn,	Shine,
Benj. Cleveland,	Manor,	J. C. Smith,
W. C. Cleveland.	Mays,	G. K. Smith,
Clements,	McComb,	W R. Smith,
Crawford,	McCurdy,	W. Smith,
Crittenden,	McDonald,	J. Stewart,
Denham,	McGregor,	Stokes,
Durden,	McLean,	Strickland,
Eberhart,	McMullin,	Strother,
Fields,	McMillan,	Sweat,
Fish,	Moughon,	J. Taylor,
Griffin,	Nichols,	D. W. Taylor,
J. Harden,	Phillips,	Trice,
Haynie,	Pickett,	West,
Hatton,	Poole,	Whitworth,
Hawkins,	Pottle,	H. L. Williams,
Hardison,	Redding,	Williford,
Headen,	G. R. Reid,	Young,
Henderson,	M. Reid,	.
Holland,	Rice,	

So the motion was lost.

Mr. Stewart of Taylor, offered the following amendment, which was agreed to, to wit :

“SEC. 2d. *And be it further enacted by the authority aforesaid,* That those parts of lots of land numbers 210, 202



and 203, in the 3d District of originally Muscogee, which lie in Marion county, be and the same are hereby included in the county of Taylor; also to change the line between the counties of Marion and Taylor, as follows, to wit: commencing at Cedar Creek, on the line between lots of land number 185 and 186, in the 3d District of originally Muscogee, now Marion county, thence due south, along said line, to the road from Tazewell to Lanier, thence east, along said road, to the line between Marion and Macon counties, thence north, along said county line, to Cedar Creek."

Mr. Bell offered to amend, as follows, to wit:

"And that the line between the counties of Marion and Kinchafoonee be changed, so as to include the residence of Wiley Davis in the county of Kinchafoonee;" which was agreed to.

Mr. Richardson moved to amend, as follows, to wit:

"That the county lines between the counties of Lee and Sumter be so changed as to add the residence of Jesse M. Simmons, who is a 'liner,' to the county of Lee, and that the lot of land upon which he resides be made the county line between the said counties of Lee and Sumter;" which amendment was agreed to.

Mr. Phillips moved that the caption of the act be so altered as to conform to the body of the act; which was agreed to.

Mr. Hardeman moved the previous question, and upon the question, "Shall the call of the previous question be sustained?" the same was decided in the affirmative, and upon the question 'Shall the main question now be put?' the same was agreed to.

The report of the committee was agreed to, and the bill and amendments were read the third time and passed, under the title thereof.

On motion of Mr. Haynie, the Clerk was directed to transmit the same to the Senate forthwith.

Mr. Fannin reported the following bill back to the House, and recommended its passage:

A bill to be entitled an act for the relief of Jesse Monroe, of the county of Cherokee, and to appropriate certain monies for the benefit of certain persons therein named.

The House then proceeded with the regular order of business.

The House took up the report of the committee on the bill of the Senate to be entitled an act to lay out and organize a new county from the counties of Dooly and Irwin, and to attach the same to a Judicial and Congressional District, and to provide for the location of a county site in such new county.

The same being the special order of the day, Mr. Smith

of Camden, moved to strike out the words, "second Congressional District," and insert in lieu thereof, the words, "first Congressional District."

Whereupon, the yeas and nays were required to be recorded, and are : yeas 38, nays 67.

Those who voted in the affirmative are, Messrs

Alread,	Martin,	Rumph,
E B Arnold,	McCurdy,	J. C. Smith,
Bell,	McDonald,	W. Smith,
Brown,	McLean,	L S Stewart,
Carlton,	McMullin,	Strickland,
Clark,	McWhorter,	Sweat,
Cody,	Mobley,	Thornton,
Fields,	Phillips,	W A. Walton,
Grant,	Powell,	J. H. Walton,
W. P. Harden,	G, R. Reid,	Whitworth,
Harrall,	M. Reid,	Wilson,
Hatton,	Reynolds,	Williford,
Hood,	Riley,	

Those who voted in the negative are, Messrs.

Adams,	Hawkins,	Radford,
Andrews,	Hardison,	Redding,
Barnes,	Headen,	Rice,
Bostwick,	Henderson,	Richardson,
Boatright,	Holland,	N. Robinson,
Bridges,	Hudson,	Shewmake,
Cameron,	Keith,	Shine,
* Champion,	Leverett,	W. R. Smith,
Benj. Cleveland,	Linn,	Stapleton,
W. C. Cleveland,	Masters,	Staten,
Clements,	Maxwell,	Stephens,
Crawford,	Manor,	J. Stewart,
Crittenden,	Mays,	Strother,
Dawson,	McComb,	J. Taylor,
Denham,	McDougald,	D. W. Taylor,
Dodds,	Moody,	Turner,
Eberhart,	Moughon,	Walker,
Fannin,	Nichols,	West,
Fish,	Paris,	H. L. Williams,
Griffin,	Pickett,	Williamson,
Gross,	Poole,	Young,
James Hardin,	Pottle,	
Haynie,	Powers,	

So the motion to strike out was lost.

The report of the committee was agreed to. The bill was read the first time and passed, under the title thereof.

The following message was received from the Senate by Mr. Moore, their Secretary:

*Mr. Speaker*—I am instructed by the Senate to transmit forthwith to the House of Representatives, the following bills of the House, this day passed by the Senate, to wit:

A bill to authorize the Treasurer of this State to make to the members and officers of the present General Assembly certain payments therein mentioned. Also,

A bill to separate the offices of Tax Receiver and Tax Collector, of the county of Decatur.

The Senate has also passed a bill to authorize a majority of the Justices of the Inferior Court of the respective counties of Telfair, Irwin, Montgomery and Pulaski to grant permission for the laying out, upon certain conditions, public roads, leading to the rivers or other large streams of water within or touching said counties, and also to empower them to remove obstructions in creeks, suitable for rafting, so as to facilitate and extend the lumber business, and for other purposes.

Mr. Smith of Liberty, moved to suspend the rules, to allow him to have a bill read the second time.

Two-thirds not voting in favor of the suspension, the motion was lost.

The House proceeded with the special order of the day, and the House took up the report of the committee on the bill of the Senate, to be entitled an act to lay out and organize a new county from the county of DeKalb, and for other purposes therein specified.

The report was agreed to; the bill was read the third time and passed.

The House then proceeded with the regular order of business.

The House took up the report of the committee on the bill to be entitled an act to alter and change the names of certain persons, and for other purposes therein mentioned.

The report was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to change the time of holding the Inferior Court in the county of Fayette.

The report was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to incorporate the Phi Delta Masonic Academy, at Phi Delta, Franklin county.

The report of the committee was agreed to. The bill was read the third time and passed.

Mr. Haynie moved to grant leave of absence to Messrs.

Moughon, Hatton, Harrall and Harrison; which was refused.

Mr. Stapleton reported as duly enrolled a bill to be entitled an act to authorize the Treasurer of this State to make to the members of this General Assembly and its officers certain payments therein mentioned.

The House took up the report of the committee on the bill to be entitled an act for the building and constructing of a Rail Road from or near the town of Athens to the Rabun Gap or some suitable point near thereto.

On the 1st Section being read, Mr. Phillips moved to amend, by adding the following words, to wit :

"At or near the towns of Madison, Eatonton and Athens, as a majority of the stockholders may determine."

Mr. Carlton moved to amend said amendment by striking out the words, "near," before the word, "Athens;" which amendment to the amendment was lost.

Mr. Harden of Clark, moved to amend, as follows, by adding the following words, to wit: "From Eatonton to Madison and thence, by Watkinsville, to Athens;" which was lost, and the amendment of Mr. Phillips to insert was agreed to.

On the third section being read, Mr. Phillips moved to amend by adding the following words, which was agreed to, to wit: "And for the town of Eatonton, Dr. Joel Branham, Jefferson Adams, and Daniel Slade; for the town of Madison, Wm. O. Saffold, John Wingfield and Lancelot Johnson; for Watkinsville, J. S. Vincent, M. S. Durham and A. M. Jackson."

Mr. Phillips also moved to strike out the name of the "Hon. Charles Dougherty," and insert in lieu thereof, the name of "John Billups, Sr.;" which was agreed to, and on the fourth section being read, which relates to the appointment of three additional Districts, in the event that the State shall subscribe for stock in said road, Mr. Reynolds moved to strike out said section; which was agreed to.

Mr. Walker offered the following proviso :

*Provided*, That no connection shall be made at or near the Rabun Gap, until said road shall be completed continuously from the south-eastern terminus.

Whereupon the yeas and nays were required to be recorded, and are : yeas 53, nays 37.

Those who voted in the affirmative are Messrs.

Alread,  
Anderson,  
Barnes,  
Bell,  
Bostwick,

Boatright,  
Cameron,  
Champion,  
Cody,  
Dawson,

Durden,  
Fannin,  
Fish,  
Gross,  
W P. Harden,

Harrall	Pickett,	Stephens,
Hood,	Pottle,	L. S. Stewart,
Irwin,	Powers.	J. Stewart,
Jones,	Redding,	Stokes,
Masters,	Reynolds,	Strickland,
Maxwell,	Rice,	Strother,
Manor,	Richardson,	Thornton,
McGregor,	Riley,	J. H. Walton,
McMullin,	R. A. Robinson,	W. A. Walton,
McWhorter,	Rumph,	Walker,
Mobley,	Shine,	Williamson,
Moody,	W. R. Smith,	Williford,
Moughon,	Stapleton,	

‡ Those who voted in the negative are, Messrs.

Adams,	Henderson,	Powell,
E. B. Arnold,	Lamar,	G. R. Reid,
Carlton,	Leverett,	M. Reid,
Benj. Cleveland,	Linn,	J. C. Smith,
W. C. Cleveland,	Mays,	J. Taylor,
Crawford,	McCurdy,	Trice,
Eberhart,	McDonald,	Turner,
Fields,	McLean,	West,
Griffin,	McMillan,	Whitworth,
Hayne,	Nichols,	H. L. Williams,
Hawkins,	Paris,	Young,
Hardison,	Phillips,	
Headen,	Poole,	

So the amendment was agreed to.

Pending the consideration of said bill, the House adjourned, until 3 o'clock, P. M.

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### THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

The House proceeded to the unfinished business of the morning, the same being the bill to be entitled an act for the building and constructing of a Rail Road from or near the town of Athens to the Rabun Gap or some point near there-to.

Mr. Redding offered the following amendment, which was agreed to, to wit :

*Provided,* That nothing in this charter shall exempt said

company from liability, and they are hereby made liable under existing laws, or in any other manner that the Legislature may by law provide, for all damages sustained by any individual or individuals,, from the loss or crippling of all kinds of stock, or any other species of property whatever, by the running of the locomotives, cars, engines or any other motive power on said road, and also are, and shall be liable for all injuries received by any individual or individuals, or damage done him, her or them, by the running said cars, engines, locomotives or any other motive power on said road, and in the event death ensue, then the right of action and recovery shall survive to his, her or their representative or representatives, against the said company for said damages, and in all suits and controversies arising from causes aforesaid, the said company shall be considered as *prima facie* at fault, and the burthen of proof showing themselves excusable shall rest upon said company.

The report of the committee, as amended, was agreed to. The bill was read the third time and passed.

The House then proceeded with the regular order of business, and the following Senate bills were taken up, read the second time and ordered to be committed for a third reading, to wit :

A bill to be entitled an act to authorize the Chief Engineer of the Western & Atlantic Rail Road to pay negro Ransom compensation for his own services.

A bill to be entitled an act for the relief of William A. Clements.

A bill to be entitled an act to define the duties of county Treasurer, in the several counties of this State.

The following bills of the Senate were taken up, read a second time and ordered to be engrossed, to wit :

A bill to be entitled an act to consolidate the offices of Tax Receiver and Collector for the county of Irwin.

A bill to be entitled an act to repeal a certain portion of an act to prevent the killing of deer, at certain periods of the year, in the county of Carroll.

The following bills of the Senate were taken up, read the second time, and committed for a third reading, to wit :

A bill to be entitled an act to incorporate Fletcher's Institute.

A bill to be entitled an act to provide for furnishing the superintendents of certain elections blank forms, for making out their returns.

A bill to be entitled an act to add one additional section to the 14th Division of the Penal Code of this State.

A bill to be entitled an act to amend an act entitled an act to authorize the establishing a Fire Company in the city of Atlanta, and also to incorporate the same, to be known by

the name and style of the "Atlanta Fire Company, No. 1," and to grant them certain privileges and exemptions.

Mr. Gartrell, from the Committee on Enrolment reported as duly enrolled a bill to be entitled an act for the relief of the stockholders in the Ruckersville Banking Company.

Mr. Stapleton, from the Committee on Enrolment reported as duly enrolled the following bill, to wit :

A bill to be entitled an act to repeal an act to consolidate the offices of Receivers of Tax Returns and Tax Collectors of this State, so far as relates to the county of Decatur, passed the 2d day of December, 1841. and to provide for the election in future.

The following bills of the Senate were taken up, read the second time and ordered to be committed for a third reading, to wit :

A bill to be entitled an act to amend an act to authorize all free white citizens of the State of Georgia, and such other persons as they may associate with them, to prosecute the business of manufacturing, with corporate powers and privileges, passed the 22d day of December, 1847, so far as the Penfield Steam Mill Company, in the county of Greene, is concerned, and to incorporate said Company, and to grant to said company certain privileges.

A bill to be entitled an act for the relief of James Morris, of Randolph county.

A bill to be entitled an act for the relief of Mary Roberts, of the county of Hall.

A bill to be entitled an act for the relief of Angeline E. Levy.

A bill to be entitled an act for the relief of William Taylor, of Macon county.

A bill to be entitled an act to authorize any three Justices of the Peace to hold land Courts.

A bill to be entitled an act to compensate the Grand and Petit Jurors of Pike, Murray and other counties, and the Petit Jurors of certain counties, and an act amendatory of other acts for the payment of Grand and Petit Jurors of certain counties therein named.

A bill to be entitled an act to make guardians administrators, by virtue of their office.

A bill to be entitled an act to amend the 1st Section of the 3d Article of the Constitution of the State of Georgia.

A bill to be entitled an act to authorize Justices of the Peace of Camden county to hold land Courts.

The following message was received from the Senate, by Mr. Moore, their secretary :

*Mr. Speaker*—I am directed by the Senate to transmit to the House of Representatives the bill of the House to compensate the Grand Jurors of the county of Lumpkin &c.. this day passed by the Senate.

The following bills of the Senate were taken up, read the second time and committed for a third reading :

A bill to be entitled an act to alter and change so much of the 7th Section of the act entitled an act to carry into effect the amended Constitution of this State, in reference to the Ordinaries of said State, and for other purposes, as relates to the county of Liberty.

A bill to be entitled an act to compensate Grand and Petit Jurors of the county of Habersham.

A bill to be entitled an act to incorporate the Eatonton and Covington Rail Road Company.

A bill to be entitled an act to add a part of the county of Jackson to the county of Madison, so as to include the residence of James M. Sailors in the county of Madison.

On motion of Mr. Turner, the rules of the House were suspended, and Mr. Mays reported

A bill to be entitled an act for the relief of John F. Green; which was read the first time.

The following bills of the Senate were taken up, read the second time and committed for a third reading :

A bill to be entitled an act to extend the provisions of the act to abolish the right of survivorship in joint tenantry in this State.

A bill to be entitled an act to add an additional section to the 1st Article of the Constitution.

A bill to be entitled an act to grant corporate powers and privileges to the Madison Steam Mill Company.

A bill to be entitled an act to change the time of holding the Superior Court of Taylor county.

A bill to be entitled an act transferring from the Executive Committee of the Georgia Baptist Convention to the Commissioners herein named, and their successors in office, the Female Academy and teachers' house in Penfield, with the lots and all the appurtenances thereto belonging.

A bill to be entitled an act to incorporate the town of Carnesville, in the county of Franklin, and to appoint commissioners for the same, and to repeal all laws heretofore passed for the government of the said town.

A bill to be entitled an act to dispose of the ungranted land in the Cherokee purchase and elsewhere.

Mr. Adams, from the Committee on Petitions, made the following report, to wit :

The Committee on Petitions, to whom was referred the petition of Dr. P. S. Smythe Oglevie, beg leave to report that in their opinion the State should not pay physicians for charity practice.

On motion of Mr. Hardeman, leave of absence was granted to Mr. Keith, for a few days, on special business, after Monday next.

The following House bill was taken up, read a second



time and ordered to be committed for a third reading to wit :

A bill to be entitled an act to incorporate the stockholders of the Newnan and Griffin Rail Road Company.

The following House bill was taken up read the second time and ordered to be committed for a third reading, to wit :

A bill to be entitled an act to create and establish a system of Internal Improvements in the State of Georgia, and to provide ways and means to carry the same into effect, and for other purposes therein named.

On motion of Mr. Cleveland of Habersham, the House adjourned until half-past nine o'clock, Monday morning

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MONDAY, DECEMBER 19th, 1853.

The House met pursuant to adjournment.

On motion of Mr. Phillips, so much of the Journal of Saturday, as related to the passage of the bill to be entitled an act for the building and construction of a Rail Road from or near the town of Athens, to Rabun Gap, or some point near thereto, was reconsidered.

On motion of Mr. Phillips, the rules of the House were suspended, and the House took up the report of the Committee on said bill.

Mr. Phillips moved to amend, by striking out the words, "At or near the towns of Athens, Madison or Eatonton, as a majority of the stockholders may determine," and inserting in lieu thereof, the following words, to wit : "From the town of Athens, to or near the town of Clayton, in Rabun county, so as to strike the Blue Ridge Rail Road at such a point, as the stockholders may determine."

Mr. Hardeman, moved to amend the amendment, by adding the following words, after the word Athens, to wit : "Or Madison, if a majority of the stockholders may desire it ;" which was lost.

The amendment of Mr. Phillips, to strike out and insert, was agreed to.

Mr. Phillips also moved to amend, by striking out the names of the Commissioners, appointed for the town of Eatonton, to wit : Dr. Joel Branham, Jefferson Adams and Daniel Slade ; for the town of Madison, William O. Saffold, John Wingfield and Lancelot Johnson ; and for the town of Watkinsville, Isaac S. Vincent, M. S. Durham and Asa M. Jackson ; which was agreed to.

The report, as amended, was agreed to, and the bill as amended, was read the third time and passed.

The following message was received from the Senate, by Mr. Moore, their Secretary.

*Mr. Speaker*—The following bills of the House of Representatives have been passed by the Senate, to wit :

A bill for the relief of Samuel Pascoe. Also,

A bill to authorize the Mayor and Council of the city of Macon to lease a portion of the city Common, known as Napier's old field.

The Senate has also passed a bill, to extend and define the corporate limits of the city of Savannah.

Mr. McDougald, from the Judiciary Committee, to whom was referred the memorial of the City Council of Savannah, praying the Legislature to pass an act to prevent vessels from sailing hence, with cargoes of free negroes, begged leave to make the following report :

The Judiciary Committee have unanimously instructed me to report, that it is inexpedient to grant the request of the memorialists, and beg leave to be discharged from its further consideration.

On motion of Mr. Fields, the Rules of the House were suspended, and the House went into Committee of the Whole—Mr. Arnold in the Chair—upon the bill to be entitled an act for the relief of Jesse Monroe, of the county of Cherokee, and to appropriate certain monies for the benefit of certain persons therein named, and after having spent some time thereon, the Committee rose and Mr. Arnold reported the bill back to the House without amendments.

The report was agreed to, the bill was read the third time, and upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded, and are : yeas 32, nays 55.

Those who voted in the affirmative are, Messrs.

Alread,	Hawkins,	G. R. Reid,
Andrews,	Hardison,	Rice,
Boatright,	Henderson,	R. A. Robinson,
Bridges,	Hudson,	W. R. Smith,
Benj. Cleveland,	Latham,	J. Stewart,
W. C. Cleveland,	Manor,	Stokes,
Denham,	McComb,	D. W. Taylor,
Fields,	McDougald,	Trice,
Fish,	McGregor,	West,
Haynie,	McLean,	Whitworth,
Hatton,	Nichols,	Young.

Those who voted in the negative are, Messrs.

Adams,	E. B. Arnold,	Bell,
Anderson,	Barnes,	Bostwick,

Brown,	Jones,	Richardson,
Calloway,	Linn,	Riley,
Cameron,	Martin,	Rumph,
Carlton,	Masters,	Shewmake,
Clements,	Maxwell,	Sh ne,
Dodds,	Mays,	Stapleton,
Fannin,	McMullin,	Stephens,
Grant,	McWhorter,	L. S. Stewart,
Griffin,	Mobley,	Strother,
Gross,	Moody,	J. Taylor,
W. P. Harden,	Paris,	Thornton,
J. Hardin,	Poole,	Turner,
Harrall,	Pottle,	W. A. Walton,
Hardeman,	Powers,	J. H. Walton,
Hood,	Redding,	Williamson,
Holland,	M. Reid,	Wilson,
Irwin,	Reynolds,	

So the bill was lost.

On motion, leave of absence was granted to Messrs. Yopp, Gartrell and Powell, on account of sickness of their families.

On motion of Mr. Richardson, the Rules of the House were suspended.

The House took up the report of the Committee on the bill, to be entitled an act to legalize the adjournment of the Superior Court of Lee county ; the report was agreed to.

The bill was read the third time and passed.

On motion of Mr. Nichols, the Rules of the House were suspended, to take up the report of the Committee on the bills to be entitled an act, to alter and change the times of holding the Superior Courts for the counties of Meriwether and Laurens, and regulate the same, and to change the sessions of the Court of Common Pleas of Augusta.

Mr. Walton, of Richmond, moved to amend the 5th Section, by striking out "next," and inserting "1854;" which motion was agreed to.

The bill was read the third time, and passed as amended.

The regular order of business was proceeded with, when the following bills were introduced and read the first time, to wit :

Mr. Linn reported

A bill to be entitled an act to lay out and organize a new county, from the counties of Cass, Cherokee, Cobb and Paulding, and for other purposes therein mentioned.

Mr. Latham reported

A bill to be entitled an act to incorporate the town of Campbellton, in the county of Campbell, to appoint Com-

missioners of the same, and for other purposes therein mentioned, and to make the Public Buildings permanent.

Mr. Latham made the following report :

The Committee to whom was referred the bill to be entitled an act to amend an act incorporating the Georgia Military Institute, and to appropriate a certain amount of money therein named, beg leave to report that they have had the same under consideration, and after a free discussion of the subject, a majority are decidedly of opinion that the bill ought to pass. They believe, that aside from the military knowledge which the Institution must in a few years diffuse through the State, it is well calculated to exert a decided influence upon some of the most important interests of the State. The act of the last Legislature, providing for the education of a certain number of State Cadets, and requiring them to teach in some part of the State for at least two years after graduating, makes the Institution to that extent, a Normal School of an efficient character ; and it needs only to be enlarged and fostered by the State, to become a valuable agent in carrying out any general plan of education which the State may hereafter adopt. No man can approach the subject of common school education, or any other system which is to reach all classes of our population, without perceiving that one great difficulty in the way of success, is the want of a sufficient number of competent teachers. They are not in the State, and there are insuperable difficulties in the way of importing them from other States. As a Normal School, therefore, for the education of teachers, the Military Institute commands itself to the liberality of the State ; and in the judgment of your Committee, presents an unanswerable argument in favor of the passage of the bill. The Committee have examined with some care, the course of the studies taught in this Institution, and find it in every particular, similar to that of the United States Military Academy. Mathematics, Mechanics. Machinery, Carpentry, Drawing, and Civil Engineering, seem to constitute the principal studies. As the ancient languages are not taught, but the whole time of the student is devoted to the sciences ; no good reason can be assigned, why this Institution if properly sustained, should not turn out as good officers and as skillful engineers, as are made by any other Institution in the Union. That the interest of the State demands for her rail roads, Manufactories, Mining operations, &c., a larger number of practical scientific men, than she now has, or is likely to obtain without the establishment of at least one scientific institution, needs no argument to prove.

The Committee are satisfied from sources that may be relied upon, that the property proposed to be donated to the State, on the passage of the bill, may be safely estimated at

from fifteen to twenty thousand dollars. If in connection with this fact, we take into consideration the unrivalled success of the Institution, its undoubted popularity in the State, and the large number of well drilled cadets which it already presents, it must be evident that the State will secure at once, by the passage of the bill, and for a small amount of money, all that has been accomplished in other States, for similar Institutions, after years of labor, and at an expense of more than three times the amount asked for in this bill.

The House proceeded with the regular order of business, when the following bills were introduced and read the first time, to-wit:

**Mr. Alread reported**

A bill to be entitled an act to alter and change the line between the counties of Pickens and Cherokee.

**Mr. Paris reported**

A bill to be entitled an act to alter an act entitled an act, to appropriate a sum of money, to build a road over the Lookout Mountain, in the counties of Walker and Dade, approved February 23d, 1850, and for other purposes.

**Mr. Dodds reported**

A bill to be entitled an act to authorize the election of Marshal, for the town of Newnan, in the county of Coweta, in the same way and manner as Commissioners of said town are now elected by law.

**Mr. Powers reported**

A bill to be entitled an act to authorize the Governor to draw his warrant upon the treasury, for fifty-seven dollars and seventy-seven cents, in favor of George Davis, being the amount over paid by him for tax to the State.

**Mr. Denham reported**

A bill to be entitled an act to authorize James W. Head, of Fayette county, to peddle without license.

**Mr. Poole reported**

A bill to be entitled an act to authorize Joseph H. Mitchell, of the county of Franklin, to erect and keep up a Toll Bridge across the Middle River, on his own lands in said county.

**Mr. Stewart reported**

A bill to be entitled an act for the pardon of Newton J. Carr, for voluntary Manslaughter.

**Mr. Stokes reported**

A bill to be entitled an act to appropriate a certain sum of money therein named, for the relief of Nathan Famby and Zachariah Slayton, of the county of Heard.

**Mr. Taylor of Houston, reported**

A bill to be entitled an act to alter and change the line between the counties of Houston and Dooly, so that lots of land Nos. 80 and 81, of the 3d District of Dooly county, and

the residences of James Smith and William F. Griffin, of Dooly county, be inclosed within the county of Houston.

Mr. Thornton reported

A bill to be entitled an act to authorize the proper officers to issue a grant for fraction No. 2, in the thirty-third District of originally Lee county, to the *bona fide* holder of the certificate for the same, under certain restrictions therein mentioned. Also,

A bill to be entitled an act to refund money to persons who grant fractional lots and islands, under the acts of the 30th of December, 1847, and under the act of the 23d of February, 1850, which acts forfeited all lands therein described, that are not granted by the time specified in said acts, and which acts have since been declared by the Supreme Court, to be unconstitutional.

Mr. Latham reported

A bill to be entitled an act to divorce Joseph Cook, and his wife Sarah Cook, of the county of Campbell.

Mr. Phillips, from the Committee on Finance, to whom was referred the bill to be entitled an act to allow the several receivers of tax returns of this State, an additional compensation for their services, reported as a substitute for the same, the following bill, to wit :

A bill to be entitled an act to increase the pay of receiver of tax returns for the county of Sumter.

The House took up the report of the Committee on said bill, and on motion of Mr. Phillips, the same was laid on the table for the present.

Mr. Strother introduced the following resolution, which was read, to wit :

WHEREAS : It is important to know with all attainable accuracy, the quantity and comparative value of each and all the different classifications of land in the State, No. 1, 2, 3 and 4 ; swamp, pine, oak and hickory, &c., together with the amount of all other taxable property as given in, prior to 1850, made out in separate columns, and shewing the tax levied and collected on each description of property up to 1850, and what amount on the 100 dollars worth on each and every class of taxables so ascertained, would raise an amount equal to the wants of the State, and whereas, such reliable statistics are important in framing a just and equal tax law, and will furnish data otherwise valuable, therefore :

*Resolved*, That the Speaker appoint two fit and proper persons, to make out and have printed for the use of the House, by the 15th of January next, such a classification of taxables put into separate columns, and the amount of tax heretofore imposed, what it must now be to meet the public wants, and that they be authorized to employ a clerk or clerks.

Mr Strother moved to suspend the rules to take up said resolution, which motion was lost.

Mr. Trice offered the following resolution :

*Resolved*, 'That no new matter be received into this House after to-day, without a majority of three-fourths of the House; which was read.

Mr. Trice moved to suspend the rules of the House, to take up the foregoing resolution; which motion was lost.

On motion of Mr. Alread, leave of absence was granted to Mr. McGregor, on account of ill health.

On motion of Mr. Hardeman, the House adjourned to 3 o'clock, P M.

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### THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. Walton of Richmond, moved that the Clerk be instructed to insert the figures "1854," in lieu of the figures "1853," in the bill to be entitled an act to change the times of holding the Superior Courts, for the counties of Meriwether and Laurens, and regulate the same, and to change the sessions of the Court of Common Pleas of Augusta; which motion was agreed to.

On motion of Mr. Cleveland, of Habersham, the rules of the House were suspended, and the House took up the report of the Committee on the Senate bill, to be entitled an act to compensate Grand and Petit Jurors of the county of Habersham.

Mr. Cleveland of Habersham, offered to amend by inserting after the words "extra tax," in the 2d Section of said bill, the words "of twenty-five per cent on the State tax;" which motion was agreed to.

The report of the Committee as amended, was agreed to, and the bill was read the third time and passed.

Mr. Gartrell, from the Committee on Enrolment, reported as duly enrolled the following bills, to wit :

A bill to be entitled an act to authorize the Mayor and Council of the City of Macon, to lease a portion of the city Commons, known as Napier's Old Field. Also,

A bill to be entitled an act for the relief of Samuel Pascoe.

On motion of Mr. McMullin, the rules of the House were suspended, and the House took up the report of the Committee upon the Senate bill, to be entitled an act for the relief of William Taylor, of Macon county.

The report of the Committee was agreed to, and the bill read the third time.

Upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded, and are : yeas 76. nays 13.

Those who voted in the affirmative are, Messrs.

Adams,	J. Hardin,	G: R. Reid,
Andrews,	Harrall,	M. Reid,
Armstrong.	Hardeman,	Reynolds.
Barnes,	Hawkins,	Richardson,
Boatright,	Hamilton,	Riley,
Bridges,	Headen,	R. A Robinson,
Brown,	Holland,	Rumph,
Calloway.	Hudson,	Shewmake,
Cameron,	Irwin,	G. K. Smith,
Carlton,	Latham,	W. R. Smith,
Champion,	Leverett,	Stapleton,
Clark,	Martin,	Stephens,
Benj. Cleveland,	Masters,	L. S. Stewart,
W C. Cleveland,	Maxwell,	Stokes,
Clements,	Mays,	J. Taylor,
Crawford,	McCurdy,	D. W Taylor,
Dawson,	McDougald,	Thornton,
Denham,	McMullin,	Turner,
Durden,	McWhorter,	J. H. Walton,
Eberhart,	Mobley,	West.
Fannin,	Moody.	Whitworth,
Fish,	Paris,	H. L. Williams,
Gartrell,	Pickett,	Williamson,
Grant,	Pottle,	Young,
Green,	Powers,	
Griffin,	Redding,	

Those who voted in the negative are, Messrs.

Alread,	Hardison,	Poole,
Anderson,	Jones.	Rice,
E B Arnold,	Manor,	Shine,
W. P. Harden,	McLean,	Trice,
Hatton,	Nichols,	

So the bill passed under the title thereof,

Mr. Poole, from the Joint Committee on the Penitentiary, to whom was referred the memorial of Lewis Zachry, the principal keeper of the Penitentiary, proposing to lease the Penitentiary on certain conditions, begged leave to submit the following report : That having said proposition under consideration, they report unfavorably towards leasing the Penitentiary on any terms at all, without any reference to



the conditions proposed, and beg leave to be discharged from the further consideration of said memorial.

HENRY P. THOMAS }  
 WILLIAM R. POOLE, } Chairmen.  
 S. LAWRENCE,  
 R. A. E. SMITH,  
 JESSE LAMBERTH,  
 JOSEPH DUNNAGAN,  
 WILLIAM B. WHITE,  
 JAMES TAYLOR,  
 M. C. C. BOATWRIGHT,  
 E. S. GRIFFIN.

We dissent from the above report.

F W McCURDY,  
 THOMAS C. TRICE.

On motion of Mr. Green, the rules of the House were suspended, and the House took up the report of the Committee on the bill, to be entitled an act to authorize the Governor to issue or cause to be issued to Mrs. Eliza J. Martin, or her assignee, a grant for lot No. 4, in square 44, of the city of Macon.

The report of the Committee was agreed to. The bill was read the third time and passed.

The following message was received from the Senate, by Mr. Moore, their Secretary :

*Mr. Speaker*—The Senate has passed the following bills, to wit :

A bill to be entitled an act to change the name of Mary Susan Clack, of Pike county, to that of Mary Susan Neal ; also, to change the names of certain other persons herein named, to legitimize them and to make them capable of inheriting. Also,

A bill to change the line between the counties of Floyd and Polk, and the line between the counties of Campbell and Polk, and to define the same. Also,

A bill to be entitled an act to establish a ferry on the Chattahoochee River, in Early county. Also,

A bill to be entitled an act to compensate the Grand and Petit Jurors for the county of Irwin, and provide for the payment of the same. Also,

A bill to be entitled an act to incorporate the Upson Female School, located at Thomaston, with power to appoint a President and Directors, confer collegiate degrees and for other purposes therein mentioned. Also,

A bill to revive the act to incorporate the Florence Bridge Company, assented to 29th December, 1838. Also,

A bill for the relief of Samuel McBee, of Dade county.

On motion of Mr. Shewmake, the rules of the House were suspended, and the House took up the report of the

Committee on the bill, to be entitled an act to repeal so much of the 17th Section of an act entitled an act in reference to the government of the Ordinaries of this State, so far as relates to the recording of vouchers of Executors, Administrators and Guardians, so far as relates to the county of Burke.

Mr. Mobley moved to amend, by striking out the word "So far as relates to the county of Burke."

The report of the Committee, as amended, was agreed to. The bill was read the third time and passed.

On motion of Mr. Poole, the rules of the House were suspended, and the House took up the report of the Committee on the Senate bill, to be entitled an act to incorporate the town of Carnesville, in the county of Franklin, and to appoint Commissioners for the same, and to repeal all law heretofore passed for the government of said town.

The report of the committee was agreed to. The bill was read the third time and passed.

On motion of Mr. Armstrong, the rules of the House were suspended, and the House took up the report of the committee upon the Senate bill, to be entitled an act to incorporate Greensboro Female College, in the county of Greene, and to appoint trustees for the same, and to authorize the trustees of Greensboro Female Academy, to convey by deed the Academy lot in the town of Greensboro.

Mr. Armstrong offered the following amendment to wit: strike out after the word "Succession" in 6th Section, and insert the following words, to wit: "And shall receive their appointments according to the provisions of the by-law of the Synod of Georgia."

The amendment was agreed to, and the bill, as amended was read the third time and passed.

On motion of Mr. Harden of Clark, the rules of the House were suspended, and the House took up the following bill of the Senate which was read the second time and committed for a third reading, to wit:

A bill to be entitled an act to incorporate the stockholders of the Madison and Eatonton Railroad company.

On motion of Mr. McDougald the rules of the House were suspended, and the House went into a committee of the whole—Mr. Arnold in the Chair—on the bill to be entitled an act to appropriate a sum of money to remove obstruction from the Big and Little Ohoopee Rivers, and to render the same navigable for the transportation of timber, rafts, lumber, wood and produce thereon, and for other purposes hereinafter mentioned, and after some time spent thereon, the committee rose and Mr. Arnold reported the bill back to the House, without amendment.

The report of the Committee was agreed to, and upon the question, "Shall this bill now pass?" upon the call of Mr

Cleveland of Habersham, the yeas and nays were required to be recorded, and are: yeas 58 nays 40.

Those who voted in the affirmative are, Messrs.

Barnes,	Harrall	G. R. Reid,
Boatright,	Hardeman,	Riley,
Brown,	Hawkins,	R. A. Robinson,
Calloway,	Hardison,	Rumph,
Cameron,	Hood,	Shewmake,
Carlton,	Irwin,	Shine,
Champion,	Jones,	Stapleton,
Clark,	Latham.	Stephens,
W. C. Cleveland,	Linn,	L. S. Stewart,
Dawson,	Martin,	J. Stewart,
Durden,	McCurdy,	J. Taylor,
Eberhart,	McDougald,	D. W. Taylor,
Fannin,	McLean,	Thornton,
Grant,	McMullin,	Turner,
Green,	Moody,	W. A. Walton,
Griffin,	Paris,	Walker,
Gross,	Phillips,	West,
W. P. Harden,	Pickett,	Williamson,
Haynie	Powers,	Young,

Those who voted in the negative are, Messrs.

Adams,	Henderson,	Rice,
Alread,	Holland,	Richardson,
Andrews,	Hudson,	N. Robinson,
E. B. Arnold,	Leverett,	G. K. Smith,
Armstrong,	Masters,	W. R. Smith,
Bridges,	Manor,	Stokes,
Benj. Cleveland,	Mays,	Strother,
Clements,	McWhorter,	Trice,
Dodds,	Mobley,	J. H. Walton,
Fields,	Nichols,	Whitworth,
Fish,	Poole,	H. L. Williams,
Gartrell,	Pottle,	Williford,
J. Hardin,	Redding,	
Headen,	Reynolds,	

So the bill was passed.

Mr. Stapleton reported as duly enrolled a bill to be entitled an act to remove, abolish and create election precincts in certain counties in this State.

Mr. McDougald moved to suspend the rules of the

House, to allow him to introduce a bill; which was agreed to. And

Mr. McDougald reported

A bill to be entitled an act for the relief of Rebecca B. F. Cohen and Perla S. Solomons, of Savannah, heirs of Mose and Mordecai Sheftall.

On motion of Mr. Riley the rules were suspended, and the House took up the report of the committee on the bill to be entitled an act to repeal so much of the 3rd Section of an act entitled an act to provide for the education of the poor approved January 22nd 1852, as prevents the provisions of said act being extended to the county of Lumpkin, and that the provisions of said act be extended to said county of Lumpkin.

The report was agreed to, the bill was read the third time and passed.

The House proceeded with the call of the counties.

Mr. Gartrell reported a bill to be entitled an act to incorporate a company to be known by the name of the Marietta Fire Company, and to give them certain privileges and exemptions; which was read the first time.

Mr. Phillips moved that the several bills passed, be transmitted to the Senate; which was agreed to.

On motion of Mr. Thornton, the House adjourned until half past 9 o'clock, to-morrow morning.

## TUESDAY, DECEMBER 20th, 1853.

The House met pursuant to adjournment.

On motion of Mr. Fields, so much of the Journals of yesterday, as relates to the rejection of the bill to be entitled an act for the relief of Jesse Monroe, of the county of Cherokee and to appropriate certain monies for the benefit of certain persons therein named, was reconsidered.

On motion of Mr. Redding, so much of the Journals of yesterday, as relates to the passage of a bill to be entitled an act to appropriate a sum of money, to remove obstructions from the Big and Little Ochoopee rivers, and to render the same navigable for the transportation of timber, rafts, lumber, wood and produce thereon, and for other purposes herein mentioned, was reconsidered.

The following message was received from the Senate, by Mr. Moore, their Secretary.

*Mr. Speaker*:—The Senate has passed the following bills to wit:

A bill to be entitled an act to incorporate the city of Cov-

ington in the county of Newton, to extend the corporate limits thereof, and for other purposes herein mentioned.—Also.

A bill to be entitled an act to amend the several acts incorporating the town of Greensboro—to extend the corporate limits of said town—to vest in the commissioners of said town the power to grant licenses to retail spirituous liquors within the corporate limits of said town, and to regulate the same, and for other purposes therein mentioned. Also,

A bill to be entitled an act to amend an act to incorporate the Augusta and Waynesboro Rail Road Company, passed 31st December, 1838, and the acts amendatory thereof. Also,

A bill to be entitled an act to alter and change the county line between the counties of Tattnall and Liberty, so as to change the residence of Everett M. G. Stubbs, a citizen of Liberty county to the county of Tattnall.

Mr. Harrall moved to suspend the rules, for the purpose of taking up a bill for a third reading. Which was lost.

On motion, leave of absence was granted to Mr. Fannin, on account of the sickness of his family.

The House then proceeded with the call of the counties and the following bills were introduced and read the first time, to wit :

Mr. Williford reported

A bill to be entitled an act to incorporate the Western Masonic Male and Female Institute, in Stewart county. and to appoint trustees for the same.

The House then proceeded with the special order of the day, which was the bill of the Senate, to be entitled an act to incorporate the Cassville Female College, located in the town of Cassville, Georgia, and to incorporate the Cherokee Baptist College located at the same town; and to confer on the commissioners of the said town of Cassville, the power to grant license to retail ardent spirits and for other purposes therein mentioned.

Mr. Trice moved to strike out the 8th section of said bill, which confers upon the commissioners of the town of Cassville, the power to grant license to retail ardent spirits, upon such terms as they may think proper.

Whereupon the yeas and nays were required to be recorded, and are : yeas 30, nays 62.

Those who voted in the affirmative are Messrs.

Adams,	Benj. Cleveland,	Gartrell,
Alread,	W. C. Cleveland,	Haynie,
Bridges,	Dawson,	Hatton,
Calloway,	Denham,	Hardison,

Hudson,	Moody,	J. Stewart,
Leverett,	Moughon,	Stokes,
Manor,	Nichols,	J. Taylor,
McDougald,	G. R. Reid,	Trice,
McLean,	M Reid,	West,
McMillan,	Rumph,	Whitworth.

Those who voted in the negative are, Messrs.

Anderson,	Headen,	Richardson
Andrews,	Henderson,	Riley,
E. B. Arnold,	Hood,	R. A. Robinson,
Armstrong,	Holland,	Shewmake,
Barnes,	Irwin,	Shine,
Bell,	Jones,	W R. Smith,
Cameron,	Linn,	Stapleton,
Carlton	Maxwell,	Stephens,
Champion,	McComb,	L. S. Stewart,
Clark,	McCurdy,	Strother
Clements,	McMullin,	D. W. Taylor,
Crawford,	Mc Whorter,	Thornton,
Eberhart,	Mobley,	Turner,
Fannin,	Paris	W A. Walton.
Fields,	Phillips,	J. H. Walton,
Grant,	Pickett,	Walker
Gross.	Poole,	H. L. Williams,
W. P. Harden,	Pottle,	Williamson,
Harrall,	Powers,	Wilson,
Hardeman,	Redding,	Young,
Hawkins,	Rice,	

So the motion to strike out was lost.

Mr. Maxwell reported

A bill to be entitled an act to establish an election precinct in the county of Talbot.

Mr. Griffin reported

A bill to be entitled an act to divorce Robert Levar and his wife Adeline Levar, (formerly Adeline Benford.) of the county of Twiggs.

Mr. Young reported

A bill to be entitled an act to incorporate Choastoa Camp Ground, and to appoint trustees for the same, and for other purposes therein named

Mr. McDougald reported

A bill to be entitled an act to lay out a new county, from the counties of Monroe and Bibb, and to organize the same.

Mr. Stapleton from the committee on Enrolment, reported as duly enrolled the following bills, to wit :

A bill to be entitled an act to incorporate the town of Dalton, in the county of Whitfield, under the name and style of the city of Dalton, and to provide for the election of a Mayor and City Councilmen, and such other officers as may be required, and confer upon them specified powers, and for other purposes therein mentioned; and to make permanent the location of the Court House and Jail in said county of Whitfield; and to amend the several acts, incorporating the city of Atlanta; and the several acts, heretofore passed, incorporating the city of Columbus; and also, the several acts incorporating the city of Macon. Also.

A bill to be entitled an act to lay out and organize a new county from the county of DeKalb, and for other purposes therein specified.

The House took up the report of the committee, on the bill to be entitled an act to make permanent the site of the public buildings in Polk county, at Cedar Town, in said county, and to incorporate the same, and for other purposes.

Mr. Crawford offered to amend by incorporating the town of Adairsville, in Cass county.

"Sec. 2d, *And be it further enacted by the authority aforesaid*, That said commissioners shall continue in office until the 1st Saturday in January, 1854, on which day and on the first Saturday in January in each succeeding year thereafter all persons entitled to vote for members of the Legislature, may assemble in said town of Adairsville, and by ballot elect five other commissioners who shall continue in office one year, and be re-eligible; said election shall be held by two Justices of the Peace, or two Justices of the Inferior Court, or one of either, together with one freeholder: *Provided*, That, in the event of there being no election of commissioners at the time herein pointed out, the commissioners then in office shall so continue until their successors are elected, which may be done at any time thereafter, by the commissioners giving five days' notice of the time of holding said election.

"Sec. 3d, *And be it further enacted*, That the jurisdiction of said commissioners shall extend, so as to include a distance of eight hundred and eighty yards in every direction from the depot in said town of Adairsville; and said commissioners are hereby authorized to act as commissioners of all roads and streets in said town, to the distance aforesaid.

"Sec. 4th, *And be it further enacted*, That said commissioners shall have power to levy and collect a tax to the amount of not more than one-third of the State tax for the use of said incorporation, upon all objects taxed by the laws of this State; and that said tax, when collected in the manner that may be prescribed by said commissioners, shall by them be used for the benefit and use of said town.

"Sec. 5th, *And be it further enacted*, That said commissioners shall have power to appoint patrols, and regulate their duty—to appoint overseers of the streets, and regulate the manner of working the same.

"Sec. 6th, *And be it further enacted*, That said commissioners shall have power to tax all shows and performances in said town, for the purposes of gain—all itinerant traders; and that they shall have power to force the collection of taxes, fines, and penalties, in such manner as they see proper.

"Sec. 7th, *And be it further enacted*, That such commissioners shall employ a marshal for said town—shall hold meetings as often as necessary; and that a majority of said commissioners shall constitute a quorum, and hold meetings and determine such things as may come under their jurisdiction;" which amendment was agreed to.

Mr. Phillips offered the following amendment;

"*And be it further enacted*, That all the provisions of the above and last section be and the same shall apply to the village of Clayton, in Rabun county; and that the corporate limits of said village extend half a mile from the Court House in all directions;" which amendment was agreed to.

The bill as amended, was taken up read the third time and passed under the title thereof.

The following message was received from the Senate by Mr. Moore, their Secretary:

*Mr. Speaker*—The Senate has passed the following bills of the House of Representatives, to wit:

A bill to be entitled an act to reduce the fees of the several Tax Collectors, hereafter to be elected for the county of Liberty, and for other purposes therein named.—Also,

A bill to add a part of Gordon county, that joins the lands of Farish Carter, to the county of Murray, with an amendment, in which they ask the concurrence of the House of Representatives. Also,

A bill to be entitled an act to permit lunatics and idiots, and such persons as may have them in charge, to pass free on the Western and Atlantic Rail Road, on their way to and from the Lunatic Asylum, with an amendment, in which they ask the concurrence of the House of Representatives.—Also,

A bill to reduce the Sheriffs' bonds of the Sheriffs' hereafter to be elected in the county of Scriven, from ten thousand dollars, to the sum of five thousand dollars.

The Senate has also passed a bill to be entitled an act to authorize the trustees of the Bibb county academy to sell or lease the lots of ground and buildings belonging to said trustees, now occupied as a male academy. Also,

A bill to be entitled an act to regulate the pilotage of the



port of Darien—point out the mode of electing commissioners, and to establish the fees of the pilots, and for other purposes therein mentioned:

The Senate has also agreed to a resolution authorizing the Governor to purchase a number of Cobb's Analysis and Forms, under certain restrictions. Also,

A resolution to require his Excellency the Governor to cause the Solicitor General of the Coweta District to inquire into and report to him the circumstances attending the organization of the Atlanta Bank, and for other purposes, in which they ask the concurrence of the House of Representatives. Also,

A bill to be entitled an act, to submit the question of the removal of the Court House of Macon county to the people thereof, and the place of its location; and in case they elect to remove it, to authorize the Justices of the Inferior Court to sell the Court House, and property of the county appertaining thereto—to negotiate for the site that may be elected, and to levy an extra tax, for the purpose of building the new Court House.

The House went into Committee of the Whole, on the bill to be entitled an act to amend the act incorporating the Georgia Military Institute, and to appropriate money therefor.

The committee arose, and Mr. Arnold reported the bill back to the House without amendment, and on motion of Mr. Phillips, the same was made the special order of the 16th of January next.

The House took up the report of the Committee of the Whole, on the bill to be entitled an act to authorize his Excellency the Governor, under certain conditions, to subscribe, on the part of the State, to the capital stock of the North Eastern Rail Road Company.

On motion of Mr. Cleveland, of Habersham, the above bill was made the special order of the 20th January next.

On motion of Mr. McDougald, the House adjourned until 3 o'clock, P. M.

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### THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

The House proceeded with the regular order, and the following bills of the Senate were taken up and read a second time, and ordered to be committed for a third reading, to wit:

A bill to be entitled an act to authorize and require the School Commissioners of the several counties therein named, to pay teachers who taught poor children of said counties

in 1852, and failed to file their accounts within the time prescribed by law.

A bill to be entitled an act to add an additional section to the 10th Division of the Penal Code of this State.

A bill to be entitled an act to extend the corporate limits of the town of Carrollton, in Carroll county.

A bill to be entitled an act to confer certain rights upon the Ordinary and School Commissioners of Emanuel county, and to authorize the adjournment of the Court of Ordinary.

A bill to be entitled an act to authorize the testimony of physicians to be taken in certain cases by interrogatories.

Mr. Ward moved to suspend the rules of the House—Mr. Arnold in the Chair—to take up the resolution offered by Mr. Strother on yesterday, relating to the classification and arrangement in columns of the taxable property in this State prior to the year 1850, and empowering the Speaker to appoint two suitable persons to collect, arrange and have the same printed by the 15th January, 1854; and also, authorizing the employment of a clerk, or clerks.

The resolution was agreed to, and the Speaker appointed Messrs. Strother and Phillips, in accordance with the provisions of the resolution.

On motion of Mr. Turner, the rules of the House were suspended, and the bill to be entitled an act to permit lunatics and idiots, and such persons as may have them in charge, to pass free on the Western and Atlantic Rail Road, on their way to and from the Lunatic Asylum, was taken up and read, and the following amendment of the Senate was concurred in, to wit:

*“And be it further enacted by the authority of the same, That the same privileges be extended to the Deaf and Dumb and Blind Pupuls, when going to and returning from their Schools.”*

On motion of Mr. Turner, the rules of the House were suspended, and the bill to be entitled an act to add a part of Gordon county, that joins the lands of Farish Carter, to the county of Murray, was taken up and read, and the following amendments of the Senate were concurred in, to wit: “Now in possession,” “and.”

On motion of Mr. Smith, of DeKalb, the rules of the House were suspended, and the report of the Committee upon the Senate bill, to be entitled an act to amend an act entitled an act to authorize the raising and establishing a Fire Company in the city of Atlanta, and also, to incorporate the same, to be known by the name and style of the Atlanta Fire Company, No. 1, and to grant them certain privileges and exemptions, was taken up.

The report of the committee was agreed to. The bill was read the third time and passed.

A bill to be entitled an act to incorporate the Irwinton Free Church, and to appoint Trustees for the same, and for other purposes therein mentioned.

A bill to be entitled an act to re-enact, and to declare in full force all statutes relating to the incorporation of the town of Monroe, in the county of Walton, and extend its corporate limits.

A bill to be entitled an act to repeal so much of the charter of the University of Georgia, as requires an oath or oaths, to be taken by the officers thereof, within three months of their entering on the discharge of their duties, and to alter and fix the time of the meeting of the Senatus Academicus.

A bill to be entitled an act to amend the act incorporating the Milledgeville Turnpike and Rail Road Company, and to grant certain privileges to the same, passed the 24th December, 1840, and the acts amendatory thereof.

A bill to be entitled an act to incorporate the town of Roswell, in the county of Cobb, to provide for the election of an Intendant and Board of Commissioners for the same, and to confer upon them special powers, and for other purposes therein mentioned.

On motion of Mr. Richardson, the rules of the House were suspended, and the House took up the report of the committee upon the bill to be entitled an act to repeal an act, to make permanent the public site of the county of Lee, at Starksville, and for other purposes therein mentioned, approved December 26th, 1851, and to provide for a new county site, and for other purposes therein mentioned.

Mr. McDougald moved to amend the bill by striking out the words "Seth J. Taylor," and inserting the words "Eli Hill;" which amendment was agreed to.

The report of the committee was agreed to, and the bill and amendment was read the third time and passed.

On motion, the rules of the House were suspended, and the following bills of the Senate were taken up and read the second time, to wit:

A bill to be entitled an act to render valid all records by Charles M. Pratt, as Clerk of the Superior Court of Camden county.

A bill to be entitled an act to amend an act entitled an act, to appropriate money to improve the navigation of the Altamaha and Oconee Rivers, and to appoint Commissioners for the same, approved January 19th, 1852, and for other purposes therein mentioned.

Mr. Walton, of Richmond, moved to amend the 1st Section by adding, at the close thereof, the words "or be sent;" which was agreed to.

Mr. Walton, of Richmond, also moved to amend the 2d Section of said bill, by adding, after the first proviso, the

following words, to wit: "And provided further, that the Ordinary of Richmond county, as School Commissioner, may appoint such number of assistants in any part of said county, as he may think necessary;" which was agreed to.

Mr. Shewmake, offered the following amendment, to wit:

*"And be it further enacted,* That the county of Burke be exempt from the provisions of this act, and that the Ordinary of Burke county, as School Commissioner be, and he is hereby authorized to appoint annually, one Commissioner of the Poor School Fund for each Militia District in said county, whose duty it shall be to return, annually, by the first day of July in each and every year, to the said Ordinary, all the children entitled to the benefits of the Poor School Fund in their respective Districts; also, to make out and return, under oath, to the Clerk of the Inferior Court of said county by the first day of June for each and every year, a true and correct list of all the tax payers residing in their respective Districts, and the said Clerk shall return the same, or a copy thereof, to the Receiver of Tax Returns by the 15th day of June, in each and every year hereafter.

*"And be it further enacted,* That the Commissioners so appointed, shall each receive for their services the sum of five dollars, to be paid out of the county funds of said county, upon the presentation of an order from the Ordinary thereof, for that purpose."

On motion of Mr. Pottle, the foregoing bill, with the amendments, was laid on the table for the present.

The following message was received from the Senate, by Mr. Moore, their Secretary:

*Mr. Speaker*—The Senate have agreed to the report of the Finance Committee, on the memorial of Joseph Sturges, State's agent, asking compensation, to which they ask the concurrence of the House of Representatives.

The Senate have passed the bill of the House of Representatives, appropriating money for the political years 1854 and 1855, with amendments.

Mr. Stapleton, from the Committee on Enrolment, reported the following bills, and joint resolutions, as duly enrolled, to wit:

A bill to be entitled an act to repeal that part of the 10th Section of an act entitled an act for the government and management of the Western & Atlantic Rail Road, approved January 15th, 1852, so far as relates to the election of Superintendent of said road.

An act to permit lunatics and idiots, and such persons as may have them in charge, to pass free on the Western & Atlantic Rail Road, on their way to and from the Lunatic Asylum. Also,

An act to reduce the Sheriff's bonds of the Sheriffs hereafter to be elected in the county of Scriven, from the sum of ten thousand, to the sum of five thousand dollars. Also,

A Joint Resolution of the Senate and House of Representatives, authorizing and requiring the Governor to purchase a number of Cobb's Analysis and Forms, under certain restrictions.

The following message was received from the Senate by Mr. Moore, their Secretary to wit :

*Mr. Speaker*—The Senate have passed the following bill of the House of Representatives, to wit :

A bill to repeal that part of the 10th Section an act entitled an act for the government and management of the Western & Atlantic Rail Road, approved January 15th, 1852, so far as relates to the election of Superintendent of said Road.

The Senate have also concurred in the amendments of the House of Representatives, to the following bills of the Senate, to wit :

A bill incorporating the Greensborough Female College, in the county of Greene, &c.

A bill to alter and change the times of holding the Superior Courts of the counties of Meriwether and Laurens, and regulate the same, and change the sessions of the Court of Common Pleas of Augusta.

They have also passed a bill to reduce the Sheriffs' bond of this State, so far as concerns the county of Effingham.

They have also passed a resolution, authorizing the Governor to cause to be forwarded to certain offices of new counties, certain books, in which they ask the concurrence of the House of Representatives.

The following message was received from his Excellency, the Governor, through Mr. DeGraffenreid, his Secretary :

*Mr. Speaker*—The Governor has signed and approved an act for the relief of Nancy S. Henderson ; also, an act to lay out and organize a new county from the county of Stewart, and to provide for the organization of the same ; also, an act to allow certain citizens of the State of Alabama, to obtain letters testamentary, and for other purposes, and to authorize Robert Kenney, administrator, to sell lands in this State ; also, an act to provide for the payment of certain census takers of this State, therein named ; also, an act to authorize the Treasurer of this State, to make to the members of the present General Assembly and its officers, certain payments therein mentioned ; also, an act to authorize the Mayor and Council of the city of Macon to lease a portion of the city known as Napier's Old Field ; also, an act for the relief of Samuel Pascoe ; also, an act to remove, abolish, and create new election precincts in certain coun-

ties in this State; which acts were deposited in the office of Secretary of State.

Mr. McDougald moved to take up the bill to be entitled on act to appropriate money for the political years 1854 and 1855, and for other purposes, and moved to concur in the amendments of the Senate thereto, which amendments were read as follows:

*"And be it further enacted,* That the sum of three hundred and forty-eight dollars and ninety-eight cents, be paid to William S. Jones, for printing done for the State, and that his Excellency, the Governor, draw his warrant on the Treasury for the same.

*"And be it further enacted,* That the sum of one thousand dollars be, and the same is hereby appropriated to Joseph Sturgis, the State's agent, for collecting the claims of this State against the United States; the same being for the amount due him under his contract with Governor Towns for his expenses for two sessions of Congress, being the session of 1851 and 1852, and the session of 1852 and 1853."

Upon the motion to concur in the foregoing amendment, the yeas and nays were required to be recorded, and are: yeas 70, nays 16.

Those who voted in the affirmative are, Messrs.

Andrews,	Hamilton,	G. R. Reid,
E B Arnold,	Headen,	M. Reid,
Armstrong,	Hood,	Richardson,
Bostwick,	Hudson,	R. A. Robinson,
Calloway,	Irwin,	Rumph,
Cameron,	Jones,	Shewmake,
Carlton,	Latham,	G. K. Smith,
Champion,	Leverett,	W R. Smith,
Clark,	Linn,	Stapleton,
Benj. Cleveland,	Masters,	Stephens,
W. C. Cleveland,	Maxwell,	J. Stewart,
Clements,	Manor,	Stokes,
Denham,	McDougald,	Strother,
Dodds,	McMullin,	J. Taylor,
Durden,	McWhorter,	D. W. Taylor,
Eberhart,	Mobley,	Trice,
Fields,	Moughon,	W. A. Walton,
Fish,	Nichols,	J. H. Walton,
Grant,	Paris,	West,
Griffin,	Phillips,	H. L. Williams,
W P Harden,	Pickett,	Williford,
Haynie,	Poole,	Young,
Hawkins,	Pottle,	
Hardison,	Redding,	

Those who voted in the negative are, Messrs.

Adams,	Gross,	Turner,
Alread,	Hardeman,	Walker.
Barnes,	McCurdy,	Whitworth,
Bell,	Moody,	Williamson,
Bridges,	Reynolds,	
Crawford,	Riley,	

So the amendment was concurred in.

*“And be it further enacted,* That the sum of seventy-six dollars and fifty cents be, and is hereby appropriated to S. W. Minor, being an amount due to him for printing done in the yeas 1849 and 1850, and that D. D. Denham, representative from the county of Fayette, be authorized to receive and receipt for the same.

*“And be it further enacted,* That the sum of twenty-nine dollars and eighty-eight cents be, and is hereby appropriated, to make up a deficit in the commissions due to Herod Thornton, late Receiver of Tax Returns for the county of Fayette, for the year 1852, and that D. D. Denham, Representative from the county of Fayette, be authorized to receive and receipt for the same. Also, that the sum of thirty-five dollars be appropriated to pay A. Porter for a lost coupon of bond No. 139, upon his giving a bond to the Treasurer to pay the original coupon, should it ever be presented to the Treasury, and that the said sum be paid to the Senator from Chatham, John W. Anderson. Also, that the sum of eighteen dollars and ten cents be paid to J. R. Culpeper, Tax Collector of Pike county for 1852, for amount of tax of said county, paid by him to the State, over and above the amount on the digest furnished him to collect by, and that the same be paid to T. C. Trice, representative from said county; and that the further sum of twenty-three dollars and fifty cents, be paid to Robert C. Wilson, assignee of A. Chase, for sundry printing done for the State and Penitentiary, as per bill rendered, and that the same be paid to A. Hull.

*“And be it further enacted,* That the sum of fifty dollars, with interest at the rate of six per cent. per annum, from the 1st of June, 1840, be appropriated to pay a certificate of work done on the Western & Atlantic Rail Road, issued in favor of H. L. Carrier, and now owned by James S. Sims, and that the Governor be authorized to draw his warrant for the same, in favor of Willis Willingham, Senator from the county of Oglethorpe.”

The following message was received from the Senate by Mr. Moore, their Secretary, to wit:

*Mr. Speaker*—The Senate has passed a bill of the House

of Representatives, to authorize the Ordinaries and School commissioners of the counties of Walton, Elbert, Harris, Whitfield, Hall and Laurens, to pay arrearages due certain teachers of poor children of said counties, for services rendered at different periods therein mentioned, and for other purposes, with amendments in which they ask the concurrence of the House of Representatives.

The Senate has also concurred in the amendments of the House of Representatives to the following bills, to wit :

A bill to be entitled an act to compensate the Grand and Petit Jurors of the county of Habersham. Also,

A bill to be entitled an act to incorporate the Cassville Female College located in the town of Cassville, Georgia; and to incorporate the Cherokee Baptist College located at the same place, and to confer upon the commissioners of the town of Cassville, power to grant license to retail ardent spirits.

The following message was received from the Senate, by Mr. Moore their Secretary, to wit :

*Mr. Speaker*—The Senate has passed the following bill, to wit :

A bill to extend the charter of the Mechanics Bank, and to alter and amend the act incorporating the same.

The House then proceeded to the consideration of the following amendment of the Senate, to the bill to be entitled act to appropriate money for the political years 1854 and 1855, and for other purposes, to wit :

*“And be it further enacted,* That the sum of five thousand dollars be, and the same is hereby appropriated, to remove obstructions in the Savannah river, above the head of the Augusta Canal, and that the said amount be paid to Henry H. Cumming of Richmond, Eliel Lockhart of Lincoln and Thos. Johnson of Elbert, to be applied to the removal of obstructions in that part of the river above the head of the Augusta canal, that they or a majority of them, may think most advisable.”

Mr. Phillips moved to amend the amendment as follows :

“Upon the commissioners named, giving bond in the sum of ten thousand dollars, that the money be applied as herein intended ;” which was agreed to.

Upon motion to concur in the amendment, as amended the yeas and nays were required to be recorded, and are : yeas 37, nays 48.

Those who voted in the affirmative are, Messrs,

Adams,  
Anderson,

E. B. Arnold,  
Barnes,

Bostwick,  
Calloway,



Carlton,	Lamar,	Riley,
Clark,	Latham,	R. A. Robinson,
Benj. Cleveland,	Mays,	Shewmake,
Durden,	McCurdy,	Stapleton,
Eberhart,	Moughon,	Stephens,
Grant,	Paris,	Strother,
Haynie,	Phillips,	Turner,
Hardeman,	Pickett,	W. A. Walton,
Hamilton,	Poole,	Walker,
Irwin,	Pottle,	
Jones,	G. R. Reid,	

Those who voted in the negative are, Messrs.

Alread,	Headen,	Reynolds,
Andrews,	Henderson,	Richardson,
Armstrong,	Hood,	Rumph,
Bell,	Hudson,	W. R. Smith,
Bridges,	Leverett,	J. Stewart,
Cameron,	Linn,	Stokes,
Champion,	Masters,	D. W. Taylor,
W. C. Cleveland,	Maxwell,	Trice,
Clements,	Manor,	J. H. Walton,
Crawford,	McDougald,	West,
Dodds,	McLean,	Whitworth,
Fields,	McMullin,	H. L. Williams,
Fish,	McWhorter,	Williamson,
Gross,	Mobley,	Williford,
W. P. Harden,	Nichols,	Young,
Hawkins,	Redding,	
Hardison,	M. Reid,	

So the amendment was lost.

The House then proceeded to the consideration of the following amendment, to wit:

*"And be it further enacted,* That the witnesses who have attended in obedience to subpoenas before the special committee of the House, to whom was referred the memorial of James J. Scarborough, Esq., containing charges against Abner P. Powers, Judge of the Superior Court of the Macon Circuit, be paid the sum of five dollars each per diem, during the time they may have been in attendance, and the sum of four dollars for every twenty miles they may have traveled coming to or returning from the capitol and the auditing committee of the House do audit the account of said witnesses. That John A. Breedlove, Sheriff of the county of Baldwin, be paid the sum of ten dollars per day for services rendered in serving subpoenas, &c., in matter of the memorial

of James J. Scarborough, and that the sum of one hundred and twenty dollars be allowed W. B. Terhume, for his services as clerk of said committee, and that the auditing committee of the House do audit the account of said Sheriff and clerk."

Mr. Hardeman moved to amend the amendment, by inserting "five dollars per day to John A. Breedlove, sheriff" which was agreed to; and on motion, the amendment as amended was concurred in.

On motion of Mr. Hardeman, the clerk was directed to transmit the foregoing bill, with the amendments of the House to the amendments of the Senate, to the Senate forthwith.

On motion of Mr. Reynolds, the House adjourned until half past 8 o'clock, to-morrow morning,

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### WEDNESDAY DECEMBER 21st, 1853.

The House met pursuant to adjournment.

Mr. Alread moved to reconsider so much of the Journal of yesterday, as relates to the claim of the Hon. Joseph Sturgis.

Mr. Alread moved that the clerk of the House be directed to go to the Senate and ask that the general appropriation bill be sent back to this House.

Whereupon, the yeas and nays were required to be recorded, and are : yeas 23, nays 40.

Those who voted in the affirmative are, Messrs

Alread,	Dawson.	Richardson,
Barnes,	Durden,	Riley,
Bell,	Grant,	Stapleton,
Bostwick,	Hardeman,	L. S. Stewart,
Brown,	Latham,	Turner,
Calloway,	Paris,	Walker,
Cameron,	Redding,	Williford,
Crawford,	Reynolds,	

Those who voted in the negative are, Messrs.

Adams,	Bridges,	Dodds,
Andrews,	Benj. Cleveland,	Eberhart,
E. B. Arnold,	W. C. Cleveland,	Fish,
Armstrong,	Denham,	Haynie,

Hawkins,	Mobley,	Stokes,
Hardison,	Moughon,	J. Taylor,
Henderson,	Nichols,	D. W. Taylor,
Hudson,	Phillips,	Trice,
Irwin,	Pickett,	W A. Walton,
Leverett,	Poole,	J. H. Walton,
Linn,	G. R. Reid,	West.
Masters,	M. Reid,	Whitworth,
Maxwell,	N. Robinson,	H. L. Williams,
Manor,	Rumph,	Williamson,
McDougald,	Shewmake,	Young,
McMullin,	W. R. Smith,	
McWhorter,	J. Stewart,	

So the motion was lost.

On motion of Mr. McDougald, the report of the Finance committee on the part of the Senate, on the claim of the Hon. Joseph Sturges, was taken up and concurred in by the House.

On motion of Mr. Trice the rules of the House were suspended, and the following bill was taken up, read the second time, and ordered to be committed for a third reading, to wit.

A bill to be entitled an act to amend an act entitled an act to incorporate the Zebulon Branch Rail Road, approved the 12th day of January, 1852, to appoint additional commissioners to extend said road, increase the Capital stock, and for other purposes therein mentioned.

On motion, the rules of the House were suspended, and the House took up the report of the committee, on the bill to be entitled an act to incorporate Walkers Academy, in Jasper county, and to appoint trustees for the same.

The report of the committee was agreed to, the bill was read the third time and passed.

On motion of Mr. Taylor of Wilkinson, the rules of the House were suspended, and the House took up the report of the committee, on the bill to be entitled an act to compensate the Grand and Petit Jurors of the county of Wilkinson, and to provide for the payment of the same.

Mr. McDougald moved to amend the 1st section of said bill, by striking out the words, after "the sum of one dollar," to wit: "and twenty-five cents;" which was agreed to.

The report of the committee as amended was agreed to. The bill was read the third time and passed.

On motion of Mr. Arnold, the rules of the House were suspended, and the House took up the following bill of the Senate, which was read the first time, to wit:

A bill to be entitled an act to extend and define the corporate limits of the city of Savannah.

On motion of Mr. Hardeman, the rules of the House were suspended, and the House took up the bill of the Senate, to be entitled an act to authorize the Mayor and Council of the city of Macon, to lease certain land therein named; &c. And

On motion of Mr. Hardeman, the same was postponed indefinitely.

The following message was received from the Senate, by Mr. Moore, their Secretary :

*Mr. Speaker*—The Senate have withdrawn their amendment to the bill of the House of Representatives, appropriating money for the political years 1854 and 1855, in reference to the Savannah river, in which the House refused to concur; and concur in the amendment of the House to the amendment of the Senate, in reference to the services of the Sheriff in the impeachment case.

Mr. Stapleton from the committee of enrolment, reported as duly enrolled, the following bills, to wit :

An act to compensate the Grand and Petit Jurors of the county of Habersham.

An act to incorporate the Greensboro Female College, in the county of Greene, and to appoint Trustees for the same, and to authorize the trustees of Greensboro female college to convey by deed, the Academy lot in the town of Greensboro.

An Act to legalize the adjournment of the Superior Court of Lee county.

An act for the relief of William Taylor, of Macon county.

An act to appropriate money for the support of the Government for the political years 1854 and 1855, and for other purposes.

On motion of Mr. Williams of Walton, the rules of the House were suspended, and the House took up the report of the committee, on the following bill from the Senate, to be entitled an act to re-enact, and to declare in full force, all statutes relating to the incorporation of the town of Monroe, in Walton county, and extend its corporate limits.

The report of the committee was agreed to. The bill was read the third time and passed, under the title thereof.

On motion of Mr. Jones the rules of the House were suspended, and the House took up the report of the committee, on the bill to be entitled an act for the relief of William P. Allen and Elizabeth Kooneman, of the county of Burke.

The report of the committee was agreed to. The

bill was read the third time and passed, under the title thereof.

The following message was received from the Senate, by Mr. Moore, their Secretary :

*Mr. Speaker*—The Senate has passed the bill of the House of Representatives, to authorize and require the treasurer of the poor School fund, in the county of Muscogee, to pay certain accounts.

The Senate has also passed a bill for the relief of James M. Patterson.

The following message was received from His Excellency, the Governor, through Mr. DeGraffenreid, his Secretary.

*Mr. Speaker*—I am directed by His Excellency, the Governor, to transmit to this branch of the General Assembly, a communication in writing.

On motion of Mr. McDougald, the same was taken up and read, as follows :

EXECUTIVE DEPARTMENT }  
Milledgeville, Geo., December 20, 1853. }

*To the House of Representatives :*

The resolution providing for the recess of the General Assembly, from the 21st instant, until the 9th of January next, having been presented to me for Executive approval, I have signed it in mere deference to the wishes of the Representatives of the people. I believe it to be constitutional, but I most respectfully differ with the Legislative Department, as to its expediency, I can see no great public interest to be promoted by the recess; and I capitally doubt its wisdom.—Believing, however, that the veto power should be resorted to only to protect the constitution, and to check hasty and dangerous legislation, I do not withhold my assent to the resolution. Upon questions of mere expediency, it is safest for the Executive to defer to the wisdom of the Legislative Department, unless a different course is demanded by strong public considerations. These views are respectfully submitted, as explanatory of the reasons which influence my concurrence in the resolution for the recess.

HERSCHEL V JOHNSON.

Mr. Walker moved that the clerk be directed to insert in his Journal, only so much of the foregoing communication as relates to the Governor's signing the joint resolution of both Houses of the General Assembly, in reference to their taking a recess; which motion was lost.

On motion of Mr. Arnold, the House of Representatives then adjourned until 11 o'clock, A. M., on Monday the 9th of January, 1854.

MONDAY, JANUARY 9th, 1854.

The House met pursuant to adjournment.

Mr. Trice presented the credentials of Mr. Mangham, member elect from the county of Pike, to fill the vacancy occasioned by the death of Mr. Arnold.

Mr. Mangham then came forward, and was sworn in and took his seat.

Mr. Walker moved to reconsider so much of the Journal of the 21st December, 1853, as relates to the refusal of the House to direct the clerk to insert only so much of the Governor's message, as refers to his signing the joint resolution of the General Assembly, in relation to the recess.

Whereupon the yeas and nays were required to be recorded, upon the call of Mr. Walker, and are: yeas 47, nays 41.

Those who voted in the affirmative are, Messrs.

Alread,	Haynie,	Radford,
Anderson,	Hardeman,	M. Reid,
Bostwick,	Hendrick,	Reynolds,
Bridges,	Irwin,	R. A. Robinson,
Calloway,	Jones,	Stapleton,
Cameron,	Masters,	Staten,
Champion,	Maxwell,	Stephens,
Clark,	McCurdy,	Strickland,
Benj. Cleveland,	McDougald,	Strother,
Cody,	McMullin,	D. W. Taylor,
Crittenden,	McMillan,	Turner,
Dawson,	McWhorter,	Walker,
Dubignon,	Moody,	Williamson,
Durden,	Paris,	Woodward,
Griffin,	Pottle,	Yopp.
Gross,	Powers,	

Those who voted in the negative are, Messrs.

Adams,	Gartrell,	Leverett,
Arnold,	Hatton,	Linu,
Armstrong,	Hays,	Mangham,
Brown,	Hawkins,	Manor,
Crawford,	Hardison,	Mays,
Denham,	Hamilton,	McComb,
Dial,	Henderson,	McLean,
Fields,	Hudson,	Phillips,
Fish,	Keith,	Pickett,

G. R. Reid,	J. Stewart,	West,
Rumph,	Stokes,	Whitworth.
Shine,	Sweat,	H. L. Williams,
W R. Smith.	J. Taylor,	Young.
W Smith,	Trice,	

So the motion was agreed to.

On motion of Mr. Walker, the message was taken up.

Mr. Walker then moved to place upon the journals only so much of the Governor's message as relates to his signing the Joint Resolution of the General Assembly, and that the remaining part of the message be stricken from the Journals.

Whereupon, on the call of Mr. Walker, the yeas and nays were required to be recorded, and are: yeas 39, nays 43.

Those who voted in the affirmative are Messrs.

Alread,	Gross,	Pottle,
Anderson,	Hardeman,	Powers,
Arnold,	Irwin,	Radford,
Bostwick,	Masters	Reynolds,
Calloway,	Maxwell,	R. A. Robinson,
Cameron,	McCurdy,	Stapleton,
Champion,	McDougall,	Staten,
Clark,	McMullin,	Stephens,
Benj. Cleveland,	McMillan,	Turner,
Cody,	McWhorter,	Walkei,
Crittenden,	Moody,	Williamson,
Dawson,	Paris,	Woodward,
Dubignon,	Pickett,	Yopp.

Those who voted in the negative are Messrs.

Adams,	Hamilton,	G R Reid,
Crawford,	Henderson,	M Reid,
Denham,	Hendrick,	Rumph,
Durden,	Hudson,	Shine,
Dial,	Keith,	W R. Smith,
Fields,	Leverett,	Wm. Smith,
Fish,	Linn,	J Stewart,
Gartrell.	Mangham,	Stokes,
Griffin,	Manor,	Strickland,
Hatton.	Mays	Sweat,
Hays,	McComb,	J. Taylor,
Hawkins,	McLean,	D W Taylor
Hardison,	Phillips,	Trice,

West                                      H. L. Williams,      Young,  
Whitworth,

So the motion was lost.

On motion of Mr. McDougald, leave of absence was granted to Mr. Rowell, on account of indisposition.

On motion of Mr. Walker, leave of absence was granted to Mr. Williams of Sumter, on account of sickness of his family.

On motion of Mr. Phillips, leave of absence was granted to Mr. Headen, on account of the death of his mother.

Mr. Phillips, from the Special Committee, appointed under a resolution of the House, to re-classify the lands of the State, &c., made the following report, to wit :

The committee appointed under a resolution of the House, to re-classify the lands of the State, and report the amount of taxable property of all the various kinds, in separate columns, as returned to the Comptroller General's Office, in 1850 '51, have, with much labor, performed the duties assigned them, and in addition thereto, upon the data thus furnished, made out an exhibit, in the form of an account current, showing the amount of revenue raised from each class with reference to the laws in force on the subject, prior to the adoption of the *ad valorem* system.

The demands upon the treasury for the financial years 1854 and 1855 can be approximated within a few thousand dollars, and will be shown by the proper committee in a few days, and now having reliable data, on which to make calculations, such a tax on property may be imposed as to meet with certainty the demands on the treasury, and equalize as far as it is practicable, by any specific tax bill, the levies to be made on property ; all of which is respectfully submitted.

Mr. McDougald moved that five hundred copies of the foregoing report be printed for the use of the House ; which was agreed to.

On motion of Mr. Strother, the House adjourned until 3 o'clock, P M.

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### THREE O'CLOCK, P M.

The House met pursuant to adjournment, and proceeded to the regular order of the day, which was the call of the counties, and the following bills were introduced and read the first time, to wit :

M. Ward reported

A bill to be entitled an act to regulate the appointment of



Clerks and Sheriffs, in the several counties in this State, and for other purposes. Also,

A bill to be entitled an act to incorporate the stockholders in the Montgomery Rail Road Company, in the State of Georgia to give them the right to extend the Opelika branch of their Rail Road across the Chattahoochee river, and to locate and use a depot on their own land in Georgia. Also,

A bill to be entitled an act to authorize the consolidation of the two incorporated companies, known as the Central Rail Road & Banking Company of Georgia, and the Macon & Western Rail Road Company, so as to make one Company and one Rail Road from Savannah to Atlanta, under the charter of the Central Rail Road & Banking Company of Georgia.

Mr. Fish reported

A bill to be entitled an act to incorporate Jasper Lodge, No. 50, of Free and Accepted Masons.

Mr. Radford reported

A bill to be entitled an act to alter and amend an act entitled an act for the relief of Sheriffs in certain cases, passed 22d December, 1829, so far as relates to the Sheriff of Lowndes county.

Mr. Ward reported

A bill to be entitled an act relating to the City Court of Savannah. Also,

A bill to be entitled an act to amend an act entitled an act to carry into effect the amended Constitution of this State, in reference to the Ordinaries of said State, and for other purposes, assented to January 21st, 1852, so far as relates to the county of Chatham, in said State. Also,

A bill to be entitled an act to incorporate the Oglethorpe Mutual Loan Association, in the city of Savannah.

Mr. Strother reported

A bill to be entitled an act to compensate the managers of elections, in Lincoln county.

Mr. Crawford reported

A bill to be entitled an act in addition to and amendatory of an act entitled an act to incorporate the town of Cartersville, in the county of Cass.

The House took up the report of the committee, on the bill to be entitled an act to make the Ordinary in the several counties in the State ex-officio Justices of the Peace, so far as to authorize them to administer oaths, witness deeds and other instruments in writing, and perform the marriage ceremony, and for other purposes.

The report of the committee was agreed to. The bill was read the third time and lost.

The House took up the report of the committee on the bill to be entitled an act to divorce George T. Walker of DeKalb county, from his wife, Ann Walker, formerly Ann Canada,

and to restore him to all the rights of an unmarried man.

The report of the committee was agreed to, and the bill was read the third time, and on motion of Mr. Arnold, was postponed indefinitely.

Mr. Phillips reported

A bill to be entitled an act to appropriate money for the purpose therein mentioned.

The House went into Committee of the Whole—Mr. Arnold in the Chair—upon the bill to be entitled an act to appropriate money to improve the navigation of Broad River.

The committee rose and reported the bill back to the House without amendment, which was agreed to, and on motion of Mr. Cleveland of Habersham, the bill was postponed for the present.

Mr. McMullin offered the following resolution, which was read :

*Resolved*, That the House of Representatives will, from and after to-day, meet at half-past nine in the morning, three in the evening and half-past seven at night, until otherwise ordered by the House.

The House took up the report of the committee, on the bill to be entitled an act to alter and change and amend the 46th Section of an act to amend an act entitled an act to revise and amend the Judicial system of this State, approved February 16th, 1799, so far as to dispense with an order of Court before bringing suit on Sheriffs' bonds, and to require the Clerks of Superior Courts to furnish a certified copy of said bonds, on the application of any person desiring to bring suit thereon, and to make such certified copy legal evidence in said suit, on the trial thereof.

The report was agreed to. The bill was taken up and read the third time and passed.

Mr. Clark offered the following resolution, which was taken up and read :

*Resolved*, That the interests of our constituents, as well as our own individual interests, demand that we should adjourn at as early a day as possible ; that the hours for the meeting of this House shall be half-past nine o'clock A. M. ; three o'clock P. M., and seven o'clock P. M., until otherwise directed.

The House took up the report of the committee, on the bill to be entitled an act to open and construct a Rail Road from the Western & Atlantic Rail Road, by Elijay, in Gilmer county, to the copper mines, at or near the mouth of Fighting Town Creek, in the county of Gilmer.

Mr. Pickett moved to amend the 3d Section of said bill, by inserting after the word "subscription," the following paragraph, to wit :

" And Andrew J. Hansell, David Irwin and Wm. P

Young, commissioners at Marietta, Georgia; and John Burke, Hawking F. Price and William T. Wofford, commissioners at Cassville, Georgia; David Knot, Wm. M. Peebles and William H. Dabney, commissioners at Calhoun, Georgia; and Bazel H. Overby, James M. Calhoun and L. C. Simpson, commissioners at Atlanta, Georgia; and Robert J. Cowart, Andrew H. Shuford and Wm. P. Hammond, commissioners at Canton, Georgia, shall open books of subscription at said several places, under the same rules and regulations as are provided in this act for the commissioners at Elijay, in Gilmer county, Georgia.

Mr. Young offered to amend the 1st Section, by inserting after the words, "copper mines," the following words, to wit: "And from the copper mines to the Rabun Gap Rail Road, at or near Clayton, in Rabun county."

On the motion to agree to the above amendment, the yeas and nays were required to be recorded, and are: yeas 25, nays 51.

Those who voted in the affirmative, are Messrs.

Adams,	Hendrick,	J. Stewart,
Arnold,	Hudson,	Stokes,
Cameron.	Linn,	Price,
Crawford,	Mangham,	West,
Dawson,	McLean,	Whitworth,
Durden,	Paris,	H. L. Williams,
Hatton,	Phillips,	Young,
Hays,	G. R. Reid,	
Hardison,	W. Smith,	

Those who voted in the negative are, Messrs.

Alread,	Griffin,	Pickett,
Anderson,	Hardeman,	Pottle,
Armstrong,	Irwin,	Radford,
Bostwick.	Jones,	M. Reid,
Bridges,	Keith,	Reynolds,
Calloway,	Leverett,	Riley,
Champion,	Masters	R A Robinson,
Benj. Cleveland,	Maxwell,	Rumph,
Cody,	Manor,	Shine,
Crittenden,	Mays,	W R. Smith,
Denham,	McCurdy,	Stapleton,
Dubignon,	McMillan,	Staten,
Fields,	McMullin,	Stephens,
Fish,	McWhorter.	Strother,
Gartrell,	Moody,	Sweat,

J. Taylor,	Walker,	Woodward,
D. W. Taylor,	Williamson,	Yopp,

So the amendment was lost.

Mr. Fields moved to amend the first section, by striking out the words "between Marietta and Calhoun," and insert "Marietta," as the beginning point in lieu thereof.

Whereupon, the yeas and nays were required to be recorded, and are : yeas 21, nays 53.

Those who voted in the affirmative are, Messrs.

Adams,	Hudson.	Rumph,
Alread,	Irwin,	W. Smith,
Fields,	Manor,	Strickland,
Gartrell,	McDougald,	D. W. Taylor,
Hatton,	McLean,	West,
Hardison,	McMillan,	Whitworth,
Henderson,	G. R. Reid,	H. L. Williams,

Those who voted in the negative are Messrs.

Andrews,	Hardeman,	Powers,
E B Arnold,	Hays,	M. Reid,
Armstrong,	Hawkins,	Reynolds.
Bostwick,	Hendrick,	Riley,
Calloway,	Jones,	R. A. Robinson,
Cameron,	Keith,	W R. Smith,
Champion,	Linn,	Staten,
Clark,	Masters,	Stephens,
Benj. Cleveland,	Maxwell,	J. Stewart,
Cody,	Mays,	Stokes,
Crawford,	McCurdy,	Strother,
Crittenden,	McMullin,	Trice.
Dubignon,	McWhorter,	Walker
Durden,	Moody,	Williamson
Fish,	Paris,	Woodward,
Griffin,	Phillips,	Young,
Haynie,	Pickett,	Yopp.
Harris,	Pottle,	

So the amendment was lost.

Mr. Trice offered the following amendment to the conclusion of the 9th Section, to wit :

"*Provided*, Said company shall be liable for all stock killed by running the cars on said road, and also for all damage

done to any individual by the negligence of the agents of said company ;" which amendment was agreed to.

The report of the committee, as amended, was agreed to. The bill was read the third time and passed.

On motion leave of absence was granded to Mr. Mobley, on special business, for a few days.

Leave of absence was also granted to Messrs. Green, Martin and Rucker, on account of indisposition.

Mr. Stapleton, from the Committee on Enrolment reported as duly enrolled, an act to authorize and require the Treasurer of the Poor School Fund, in the county of Muscogee, to pay over to R. H. Calhoun, William H. Grace, John P. Hodge and Miss Susannah Wallace, and to each and every other teacher of poor children in said county, for the years 1851 and 1852, out of the Poor School Fund thereof, the full amount of their accounts and all arrearages due them, for teaching poor children in said years, out of any funds in hand or out of the first that may thereafter be received, and for other purposes therein named.

The House took up the report of the committee, on the bill to be entitled an act to authorize and empower executors and adminrstrators to make titles to land in certain cases.

The report of the committee was agreed to. The bill was read the third time, and upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded, upon the call of Mr. Trice, and are : yeas 23, nays 45.

Those who voted in the affirmative are, Messrs.

Crawford,	Pickett,	J. Stewart,
Crittenden,	G. R. Reid.	Stokes,
Griffin,	M. Reid.	Strickland,
Hardison,	Reynolds,	D. W. Taylor,
Hendrick,	R. A. Robinson,	Trice,
Mangham,	Shine.	H. L. Williams,
Manor,	W. R. Smith,	Young,
Mays,	W Smith,	

Those who voted in the negative are Messrs.

Adams,	Benj. Cleveland,	Hudson,
Alread,	Dawson,	Irwin,
Arnold,	Fields,	Jones,
Armstrong,	Gartrell,	Keith,
Bostwick,	Gross.	Leverett,
Calloway,	Harris,	Masters.
Cameron.	Hardeman,	Maxwell,
Clark,	Hawkins,	McCurdy,

McDougald,	Phillips	Stephens,
McLean,	Pottle,	Strother,
McMullin,	Powers,	Walker,
McMillan,	Riley,	West.
McWhorter,	Rumph,	Whitworth.
Moody.	Stapleton,	Williamson.
Paris,	Staten,	Woodward,

So the bill was lost.

On motion of Mr. Cody, the House adjourned until half-past nine o'clock to-morrow morning.

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## TUESDAY, JANUARY 10th, 1854.

The House met pursuant to adjournment.

Mr. Mangham moved to reconsider so much of the Journals of yesterday, as relates to the passage of the bill to be entitled an Act to authorize and empower executors and administrators to make titles to land in certain cases.

Whereupon, the yeas and nays were required to be recorded, and are : yeas 27, nays 57.

Those who voted in the affirmative are, Messrs.

Adams,	Henderson,	Pickett,
Bridges,	Keith,	Riley,
W. C. Cleveland,	Leverett,	Shine,
Crittenden,	Mangham,	J. Stewart,
Dial,	Masters,	D. W. Taylor,
Fields,	Manor,	Trice,
Fish,	Mays,	Whitworth,
Griffin,	McComb,	H. L. Williams,
Hardison,	Phillips,	Young.

Those who voted in the negative are, Messrs.

Alread,	Cody,	Hardeman,
Anderson,	Dawson,	Hays,
Arnold,	Denham,	Hawkins,
Armstrong,	Dubignon,	Hamilton,
Bell,	Fannin,	Hudson,
Bostwick,	Gartrell,	Irwin,
Calloway,	W. P. Harden,	Maxwell,
Champion,	Haynie,	McCurdy,
Clark,	Harris,	McDougald,
Benj. Cleveland,	Hatton,	McLean,

McMullin,	Rumph,	J. Taylor,
McMillan,	W. Smith,	W. A. Walton,
McWhorter,	Stapleton,	J. H. Walton,
Paris,	Staten,	Walker,
Pottle,	Stephens,	West,
Powers,	L. S. Stewart,	Williamson,
Radford,	Stokes,	Williford,
M. Reid,	Strother,	Woodward,
Reynolds,	Sweat,	Yopp.

So the motion to reconsider was lost.

The House took up the report of the committee, on the bill to be entitled an act to amend an act, to carry into effect the amended Constitution of this State, in reference to the Ordinaries of said State, and for other purposes, assented to January 21st, 1852, so far as concerns the recording of vouchers, and keeping open the office.

The report of the Committee was agreed to. The bill was read the third time and passed.

The House took up the report of the committee, on the bill to be entitled an act to incorporate the City Bank, in the city of Augusta.

Pending which, the following message was received from the Senate by Mr. Moore, their Secretary :

*Mr. Speaker*—I am directed by the Senate to inform the House of Representatives, that Hon. John N. Williamson, Senator from the county of Newton, has been elected President of the Senate *pro tempore*.

On motion of Mr. Phillips, the foregoing bill was taken up and read by sections.

Mr. Hardeman moved to amend the bill by adding the following proviso, at the conclusion of the 10th Section, to wit :

“ *Provided*, That nothing herein contained, shall be construed to prevent the effects of the corporation from being liable likewise for said excess;” which amendment was adopted.

Mr. Trice offered the following amendment to the 11th Section of the bill, to-wit : “ And that every stockholder shall be liable personally to pay all the obligations and liabilities of said Bank, in proportion to the stock owned by him, or her, or them, at any time, on the failure of the corporation so to do, during the continuance of the charter : *Provided*, That no liability shall continue against any stockholder who shall have transferred his stock, by fair and *bona fide* sale, twelve months after said sale and transfer.”

The following message was received from the Senate, by Mr. Moore, their Secretary :

*Mr. Speaker*—The following bills have been passed by the Senate, to-wit :

A bill explanatory of the 12th and 13th Sections of the 9th Division of the Penal Code.

A bill to alter and amend the 2d Section of the 4th Article of the Constitution of this State, and to alter and amend said Constitution in all its parts, which may conflict with the provisions of this amendment. Also,

A bill to require all promises, acknowledgements and admissions of debts, made after the statutes of limitations have commenced running, to be reduced to writing, and for other purposes. Also,

A bill to amend the Judiciary Act of 1799, so far as to perfect service in actions of ejectment, for the recovery of land and mesne profits; and to amend an act entitled complaint for the recovery of real estate, and for mesne profits. Also,

A bill for the government of Solicitors General in certain cases therein named, and to provide for the payment of the fees of witnesses.

Mr. Walker offered the following amendment to Mr. Trice's amendments, to-wit :

*Provided, The Bank was in a sound and solvent condition, at the time of the transfer."*

Whereupon the yeas and nays were required to be recorded, and are : yeas 43, nays 47.

Those who voted in the affirmative are Messrs.

E B Arnold,	Irwin,	Shine,
Armstrong,	McCurdy,	W Smith,
Bell,	McLean,	Stephens.
Bostwick,	McMullin,	L. S. Stewart,
Calloway,	McWhorter,	Strother,
Clark,	Paris,	Sweat,
Cody,	Phillips.	Turner,
Dawson,	Pickett,	W. A. Walton,
Fannin,	Poole,	Walker,
Gross,	Pottle,	West,
W. P. Harden,	Powers,	Williamson,
Harris,	Radford,	Woodward.
Harrison,	Riley,	Yopp.
Hawkins,	R. A. Robinson,	
Hamilton,	Rumph,	

Those who voted in the negative are Messrs.

Adams,	Bridges,	W. C. Cleveland.
Alread,	Champion,	Crawford,
Anderson,	Benj. Cleveland.	Denham,



Durden.	Hudson,	Reynolds,
Dial,	Keith,	W. R. Smith,
Fields.	Leverett,	Staten,
Fish,	Linn,	J. Stewart,
Gartrell,	Mangham,	Stokes,
Griffin,	Masters,	Strickland,
James Hardin,	Maxwell,	J. Taylor,
Hatton,	Manor,	Trice,
Hardeman,	Mays,	J. H. Walton,
Hays,	McMillan,	H. L. Williams,
Hardison,	Moody,	Williford,
Henderson,	G. R. Reid,	Young.
Hendrick,	M. Reid,	

So the amendment to the amendment was lost.

Mr. Stapleton, from the Committee on Enrolment, reported as duly enrolled, the following bill, to-wit :

A bill to be entitled an act to authorize the Ordinary or School Commissioners of Elbert county, and other counties therein named—Laurens, Walton, Whitfield, Harris, Hall. Jones, Gordon and Clarke—to pay arrearages due the teachers of poor children in said counties, for services rendered in the years 1851, 1852 and 1853.

Upon the question of the adoption of the amendment offered by Mr. Trice, the yeas and nays were required to be recorded, and are : yeas 69, nays 24.

Those who voted in the affirmative are, Messrs.

Adams,	Haynie,	McMillan,
Alread,	Hatton,	McWhorter,
Alderson,	Hardeman,	Moody,
Armstrong ,	Hays,	Phillips,
Bridges,	Hardison,	Pickett,
Clark,	Hamilton,	Poole,
Benj. Cleveland,	Henderson,	Radford,
W. C. Cleveland,	Hendrick,	G. R. Reid,
Crawford,	Hudson,	M. Reid,
Dawson,	Irwin,	Reynolds,
Denham,	Jones	Riley.
Durden,	Keith,	N. Robinson,
Dial,	Leverett,	Rumph,
Fields,	Linn,	Shine,
Fish,	Mangham,	W. R. Smith,
Gartrell,	Masters,	W. Smith,
Griffin,	Maxwell.	Staten,
Gross,	Manor,	J. Stewart,
James Hardin,	Mays,	Stokes,

Strickland,	D. W. Taylor,	Williford,
Strother,	Trice,	Woodward,
Sweat,	J. H. Walton,	Young,
J. Taylor,	H. L. Williams,	Yopp.

Those who voted in the negative are, Messrs.

Arnold,	Harris,	R. A. Robinson,
Bostwick,	Harrison,	Stapleton,
Calloway,	Hawkins,	Stephens,
Champion,	McCurdy.	L. S. Stewart,
Cody,	McMullin,	W. A. Walton,
Crittenden,	Paris,	Walker,
Fannin,	Pottle,	West,
W. P. Harden,	Powers.	Williamson,

So the amendment was adopted.

The report of the committee, as amended, was agreed to. The bill was read the third time and passed.

On motion of Mr. McCurdy, the House adjourned until 3 o'clock, P. M.

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### THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

On motion of Mr. Arnold, the House proceeded with the reading of bills the third time.

The House went into Committee of the Whole—Mr. Arnold in the chair—on the bill to be entitled an act to appropriate a certain sum of money therein mentioned, for the relief of George M. Garrison, of the county of Polk; and after some time spent therein, the committee arose, and Mr. Arnold reported the bill back to the House, without amendment.

The report of the Committee was agreed to. The bill was read the third time and lost.

The House then took up the report of the committee, on the bill to be entitled an act to amend an act to provide for the education of the poor, approved January 22d, 1852, and for other purposes therein mentioned.

On motion of Mr. Walton, of Richmond, the bill was referred to the Committee on Education.

The House took up the report of the committee on the bill to be entitled an act to amend an act entitled an act of 1849 and 1850, allowing discoveries at common law, so as

to be available in Justices Courts, on giving opposite party ten days' notice.

The report of the committee was agreed to. The bill was taken up, read the third time and lost.

The House took up the report of the committee, on the bill to be entitled an act to authorize the Treasurer of the Poor School Fund of the county of Talbot, to pay over to Wm. L. Owens, the amount of his accounts for teaching poor children in the aforesaid county, in the years 1851 and 1852.

The report of the committee was agreed to. The bill was read the third time, and on motion of Mr. Walton of Talbot, was laid on the table, for the balance of the session.

The House took up the report of the committee, on the bill to be entitled an act to authorize and require the citizens of Spaulding county to give in and pay their taxes in said county.

The report of the committee was disagreed to. The bill was read the third time and lost.

The House went into Committee of the Whole—Mr. Arnold in the Chair—upon the bill to be entitled an act to compensate Allen C. Harbin and others, of the county of Richmond, for services rendered; and after some time spent therein, the committee arose, and reported the bill back to the House, without amendment.

The report of the committee was agreed to, and upon the question, "shall this bill pass?" the yeas and nays were required to be recorded, and are: yeas 67, nays 27.

Those who voted in the affirmative are Messrs.

Anderson,	Hayne,	Phillips,
E. B. Arnold,	Harris,	Pickett.
Armstrong,	Harrison,	Poole,
Bell,	Hardeman,	Pottle,
Bridges,	Hays,	Powers.
Brown,	Hawkins,	G. R. Reid,
Calloway,	Hamilton,	Reynolds,
Champion,	Hendrick,	Rice,
Clark.	Irwin,	Riley,
Cody,	Latham.	R. A. Robinson,
Crawford,	Mangham,	N. Robinson,
Crittenden,	Masters,	Shine,
Dawson,	Maxwell,	W. Smith,
Durden,	Manor,	Stapleton,
Fannin,	Mays,	Stephens,
Fields,	McCurdy,	L. S. Stewart,
Gartrell,]	McWhorter,	Stokes,
W. P. Harden,	Moody,	Strickland,
J. Hardin,	Paris,	Strother,

Sweat.	J. H. Walton,	H. L. Williams,
J. Taylor,	W. A. Walton,	Williamson,
D. W. Taylor.	Walker,	Williford,
Turner,	West,	\

Those who voted in the negative are, Messrs.

Adams,	Hardison,	McMullin,
Alread,	Henderson,	Shine,
Benj. Cleveland,	Hudson,	W. R. Smith,
W. C. Cleveland,	Jones,	Staten.
Dial,	Leverett,	J. Stewart,
Fish,	Linn,	Trice,
Griffin,	McDougald,	Whitworth,
Gross,	McLean,	Young,
Hatton,	McMilian,	Yopp.

So the bill was passed.

The House took up the report of the committee on the bill to be entitled an act to repeal an act approved December 26th. 1851, compelling Justices of the Peace of the 1030th District, Georgia Militia, of the county of Ware, to hold their courts at Sweat's and Jourdan's store, and for other purposes therein mentioned.

The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to incorporate the Grand Lodge, Knights of Jericho, of the State of Georgia, and for other purposes therein mentioned.

The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to reduce the official bond of the Sheriffs hereafter to be elected in the county of Twiggs, from the sum of twenty thousand dollars, to the sum of ten thousand dollars.

The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to change the line between the counties of Walker and Gordon.

The report of the committee was agreed to. The bill was read the third time and passed.

The House went into Committee of the Whole—Mr. Arnold in the chair—on the bill to be entitled an act to authorize and require the Ordinaries of Macon and Sumter, to pay to William M. Threlkeld, of the county of Sumter, certain

sums of money, for teaching poor children of said counties, and for other purposes therein mentioned.

After some time spent therein, the committee arose, and reported the bill back to the House, without amendment.

On motion of Mr. Young, the bill was postponed for the present.

The House went into Committee of the Whole—Mr. Arnold in the chair—on the bill to entitled an act, to erect monuments to the memory of the late Hon. John Forsyth, and to the memory of the late Hon. William H. Crawford, and to appropriate money therefor.

Mr. Walker moved to strike out "the Capitol," and insert "the city of Augusta;" which motion was lost.

Mr. Alread offered the following amendment: "That the said monument be erected out of Georgia marble;" which was agreed to.

The committee arose, and reported the bill and amendments back to the House.

The report of the committee was agreed to, and on motion of Mr. Irwin, the bill was postponed for the present.

The House took up the report of the committee, on the bill to be entitled an act, to authorize the Treasurer of the Poor School Fund in the county of Habersham, to pay to Mary A. Maldin the amount of her account, for teaching poor children in the year 1849; also, to C. H. Kettel the amount of his account, for teaching poor children in the year 1852, &c.

Mr. Crawford offered the following amendment; which was agreed to:

"That the Ordinary or the Commissioner of the Poor School Fund of the county of Cass be, and he is hereby, authorized and required to pay to Yancy Brown, Mrs. Elizabeth T. Meadows, Daniel Whitener, H. B. Robinson and Bird W. Holcomb, out of the Poor School Fund of said county for the year 1853, and before the same shall be distributed by him, as many cents in the dollar of their accounts for teaching poor children in said county, from the year 1850 to the year 1853 inclusive, as have been or may be paid other teachers of poor children in said county, for teaching in the years in which the accounts of the said Yancy Brown, Elizabeth T. Meadows, D. Whitener, H. B. Robinson and Bird W. Holcomb, may have been made respectively: *Provided*, it shall be made to appear to said Ordinary or Commissioner of the Poor School Fund, that the children claimed to have been taught by said teachers, were actually taught by them, and that they were at that time such as ought to have been returned among those entitled to the benefits of the Poor School Fund, notwithstanding said accounts may not have been presented in terms of the law.

Mr. Williams, of Walton, offered the following amendment ; which was agreed to :

*"And be it further enacted, That the Ordinary of Walton county be, and he is hereby, authorized and required to pay Redding C. Shipp, of said county, the balance of his account for teaching poor children for the year 1844, out of any money remaining in his hands, belonging to the Poor School Fund of said county."*

Mr. McCurdy offered the following amendment ; which was agreed to, to wit :

*"And be it further enacted by the authority aforesaid, That the Ordinary of Whitfield county be authorized and required to pay to Hamilton Goode the sum of fifteen dollars, for teaching poor children in said county ; and the sum of thirty-seven dollars to John B. Lewis of said county, for teaching poor children in the said county of Whitfield—the said Hamilton Goode and John B. Lewis giving the said Ordinary receipts for the same."*

Mr. Young offered the following amendment : which was agreed to.

*"That the Treasurer of the Poor School Fund of the 933d District, Georgia Militia, pay to James Moore, of Union county, ten dollars, for teaching poor children in said District."*

Mr. Calloway offered the following amendment ; which was agreed to :

*"And be it further enacted, That the Ordinary of the county of Putnam be, and he is hereby, authorized to pay the teachers of the poor school for 1853, ratably, for services as teachers for said year, in the same manner as though they were returned according to the provisions of the law."*

Mr. McDougald offered the following amendment, to wit :

*"And that the Ordinary of DeKalb county do pay to Mrs. Reneau the amount of her accounts, for teaching poor children in the year 1853 ;"* which was agreed to.

Mr. McMullin offered the following amendment, to wit :

*"And be it further enacted, That the Poor School Commissioners of the county of Macon be authorized to pay to P. H. Delan twelve dollars, for teaching poor children in the year 1849."*

Mr. Crawford offered the following, as an amendment to the caption of the bill, to wit :

A bill to be entitled an act to authorize and require the Ordinary and Commissioners of the Poor School Fund of the county therein named, to pay the teachers of poor children in said county.

Mr. Smith of Jasper, offered the following amendment ; which was agreed to :

*"And that the Ordinary of Jasper county pay over to*

Martha G. Shropshire, and all other teachers of poor children in Jasper county, for the year 1852."

Mr. Turner offered the following amendment, to wit :

"*And be it further enacted*, That the Ordinary of the county of Murray be, and he is hereby, authorized to pay to any unpaid claimants in the county, any surplus that may be in his hands, after paying off the teachers ;" which was agreed to.

Mr. McMullin moved to refer the bill and amendments to the Committee on Education ; which motion was lost.

The report of the committee, as amended, was agreed to. The bill was read the third time and passed.

On motion of Mr. Phillips, the rules of the House were suspended, and the following bill was taken up, and read the second time, and committed for a third reading, to wit :

A bill to be entitled an act, to appropriate money for the purpose therein mentioned.

The House took up the report of the committee, on the bill to be entitled an act, to compensate the grand and petit jurors of Appling county.

On motion of Mr. Cleveland, of Habersham, the bill was laid on the table, for the present.

The House took up the report of the committee, on the bill to be entitled an act, to regulate the driving of cattle from Florida into this State.

The report of the committee was agreed to. The bill was read a third time and lost.

On motion of Mr. Young, the rules of the House were suspended, and the following bill was taken up and read the second time, to wit :

A bill to be entitled an act, for the pardon of James L. D. Register, of the county of Troup, now under sentence of death, for the crime of murder ; and on motion of Mr. Young, the same was made the special order of the day for Saturday next.

On motion of Mr. McDougald, the rules were suspended and he reported the following bill, to wit :

A bill to be entitled an act, to repeal all laws, respecting the importation of slaves into this State for sale or hire, and for other purposes therein named ; which was read the first time.

Mr. Alread moved that the House adjourn until half past 7 o'clock this evening.

Mr. Pottle moved that the House adjourn until half-past 9 o'clock to-morrow morning.

Upon which motion, the yeas and nays were required to be recorded, upon the call of Mr. Alread, and are : yeas 62 nays 23.

Those who voted in the affirmative are, Messrs.

Adams,	Hardison,	Riley,
E B Arnold,	Hamilton,	R. A Robinson,
Brown,	Irwin,	N. Robinson,
Calloway,	Jones,	Rumph,
Champion,	Latham,	W. R. Smith,
Clark,	Leverett,	W Smith,
Benj. Cleveland,	Linn,	Stapleton,
W C. Cleveland,	Masters,	Stephens,
Cody,	Manor,	Stokes,
Crawford,	Mays,	Strickland,
Crittenden,	McCurdy,	Strother,
Denham,	McDougald,	Sweat,
Dubignon,	McLean,	Turner,
Durden,	Moody,	W A. Walton,
Fish,	Paris,	Walker,
Griffin,	Phillips,	West.
Gross,	Pickett,	Whitworth,
J. Hardin,	Poole,	H. L. Williams,
Hatton,	Pottle,	Williamson,
Hays,	Powers,	Woodward,
Hawkins,	Rice,	

Those who voted in the negative are, Messrs.

Alread,	McMillan,	D. W Taylor,
Fields,	McMullin,	J. Taylor,
Harrison,	Radford,	Trice,
Hardeman,	M. Reid,	Williford,
Henderson,	Reynolds,	Young,
Hendrick,	Staten,	Yopp.
Hudson,	L. S. Stewart,	
Mangham,	J Stewart	

• So the House adjourned until half-past 9 o'clock to-morrow morning.

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WEDNESDAY, JANUARY 11th, 1854.

The House met pursuant to adjournment.

Mr. McMullin moved to correct the Journals of yesterday, in reference to the amendment offered by himself to the bill authorizing the Treasurer of the Poor School Fund of Habersham, to pay certain teachers therein named their accounts. for teaching poor children, &c., by inserting 1848, in lieu of 1851, and the name of Martha G. Shropshire



in lieu of James Shropshire; which motion was agreed to.

Mr. Gartrell moved to reconsider so much of the Journal of yesterday, as relates to the bill in regard to discoveries in Justices Courts, and upon the call of Mr. Gartrell, the yeas and nays were required to be recorded and are: yeas 43, nays 55.

Those who voted in the affirmative are, Messrs

Alread,	Harrison,	Poole,
Bell,	Hatton,	N. Robinson,
Bridges,	Hays,	Rumph,
Cameron,	Hendrick,	W R. Smith,
Benj. Cleveland,	Holland,	W Smith,
Crawford,	Keith,	J. Stewart,
Crittenden,	Leverett,	Stokes,
Denham,	Masters,	Strickland,
Durden,	McComb,	J. H. Walton,
Dial,	McDougald,	Whitworth,
Eberhart,	McMillan,	H. L. Williams,
Fields,	Mobley,	Williford,
Gartrell,	Moughon,	Young,
Griffin,	Nichols,	
Haynie,	Phillips,	

Those who voted in the negative are, Messrs.

Adams,	Jones	Reynolds,
Andrews,	Latham,	Rice,
E B Arnold,	Mangham,	Riley,
Armstrong,	Maxwell,	R A Robinson,
Bostwick,	Manor,	Shine,
Calloway,	Mays,	Stapleton,
Champion,	McCurdy,	Staten,
W C. Cleveland,	McLean,	Stephens,
Cody,	McMullin,	L S Stewart,
Dawson,	McWhorter,	Sweat,
Dubignon.	Paris,	J. Taylor,
Fish,	Pickett,	Trice,
W P Harden,	Pottle,	Turner,
Harris,	Powers,	W A. Walton,
Hardeman,	Radford,	Walker,
Hardison,	Redding,	West,
Henderson,	G. R. Reid,	Woodward,
Hudson,	M. Reid,	Yopp,
Irwin,		

So the motion was lost.

Mr. Irwin moved to reconsider so much of the Journals of yesterday, as relates to the bill to be entitled an act to carry into effect the amended Constitution of this State, in reference to the Ordinaries of said State, &c.

Mr. Irwin moved to take up the foregoing bill which was agreed to, and on motion of Mr. McDougald, was laid on the table for the balance of the session.

On motion of Mr. Cleveland, of Habersham, the rules of the House were suspended, and the House took up the report of the Committee on the bill to be entitled an act to compensate the Grand and Petit Jurors of Appling County.

Mr. Reid, of Irwin, moved to amend the 1st Section of said bill, by inserting immediately after the word "Appling," and before the word "county," the word "Irwin;" which amendment was adopted.

The report of the committee, as amended, was agreed to. The bill was read the third time and passed.

The House proceeded to the regular order of the day, which was the call of counties, when the following bills were introduced and read the first time, to wit :

Mr. Dial reported

A bill to be entitled an act to authorize the Governor to have all the unsurveyed lands in Appling, surveyed and sold, and the proceeds after paying for surveying of the same, be applied to Poor School purposes.

Mr. McComb reported

A bill to be entitled an act to increase the jurisdiction of Justices of the Peace of the city of Milledgeville, and to increase the fees when the principal exceeds thirty dollars.

Mr. McLean reported

A bill to be entitled an act to prevent persons owning or working steam saw mills on or near the Ogeechee River, from obstructing the same, by throwing or scattering saw dust or slabs, or other rubbish, and to punish those who may violate the provisions of this act, and for other purposes.

Mr. Reid of Carroll, reported

A bill to be entitled an act to divorce Betty Ann McDowell, from her husband Lemuel McDowell, and invest her with all the rights and privileges, as though she had never been married.

Mr. Crawford reported

A bill to be entitled an act for the relief of William Edins, William H. Stiles, Joel T Rowland and Simpson Fouche. Also,

A bill to be entitled an act to alter and amend an act entitled an act to incorporate the Cassville Female College, located in the town of Cassville, Georgia, and to incorporate the Cherokee Baptist College, located at the same place, and to confer on the Commissioners of Cassville, the power

to grant license to retail ardent spirits, and for other purposes therein named.

Mr. Harrison reported

A bill to be entitled an act to repeal an act to limit the jurisdiction of the city of Savannah, so far as relates to the regulation of the market, assented to, December 13th, 1809. Also,

A bill to be entitled an act to alter and change the corporate name and style of the Marine and Fire Insurance Bank of the State of Georgia, to the corporate name and style of the Marine Bank of Georgia, and to authorize the same to increase the capital thereof, and to establish branches.— Also,

A bill to be entitled an act to incorporate a Fire Company in the city of Savannah, to be known by the name and style of Young America. Also,

A bill to be entitled an act to incorporate a bank, to be called the Exchange Bank of the city of Savannah.

Mr. Staten reported

A bill to be entitled an act to incorporate the town of Magnolia, in Clinch county. Also,

A bill to be entitled an act to lay out and form a new county, out of the counties of Clinch, Ware, Telfair and Irwin, and to organize the same.

Mr. Shine reported

A bill to be entitled an act to prevent the poisoning and destruction of fish, in the county of Dooley.

Mr. Pickett reported

A bill to be entitled an act to authorize and require Sheriffs, Coroners, Clerks of the Superior and Inferior Courts and Ordinaries, to advertise in certain newspapers.

Mr. Armstrong reported

A bill to be entitled an act for the pardon of John D. Maline, otherwise called John D. Hale, of the county of Greene, now in the Penitentiary for life for the crime of murder.

Mr. Whitworth reported

A bill to be entitled an act to give the election of the County Treasurer of the county of Gwinnett to the people.

Mr. Phillips reported

A bill to be entitled an act to repeal a part of the third Section of an act entitled an act for the government and management of the Western and Atlantic Rail Road.— Also,

A bill to be entitled an act to authorize the Governor to issue State Bonds, in lieu of the outstanding Bonds of the Central Bank.

The following message was received from the Senate, by Mr. Moore, their secretary :

*Mr. Speaker*—The Senate has passed the following bills, to wit :

A bill to be entitled an act to incorporate the Atlanta Medical College, and for other purposes therein mentioned. Also,

A bill to be entitled an act to incorporate the Griffin Baptist Church. Also,

A bill to be entitled an act to extend the corporate limits and jurisdiction of the city of Marietta, in Cobb county, and to add the territory therein described, to said city.— Also,

A bill to incorporate College Temple, located in Newnan, Georgia, and to confer powers on the same. Also,

A bill to be entitled an act to make Edward Young Hill Dale, of the county of Carrll, heir at law of Jonathan Polston, of said county, and so far as to authorize him to inherit the property of the said Jonathan Polston.

The House then proceeded with the call of the counties, and the following bills were severally introduced and read the first time, to wit :

Mr. Cameron reported

A bill to be entitled an act to amend an act to incorporate a bank in the town of LaGrange, to be called the LaGrange Bank. Also,

A bill to be entitled an act to alter and change the line between the counties of Harris and Troup.

Mr. Reid of Irwin, reported

A bill to be entitled an act to authorize the Governor to draw his warrant upon the treasury, for the sum of one hundred and thirty-nine dollars, Poor School Fund for Irwin county.

Mr. Strother reported

A bill to be entitled an act to amend an act entitled an act, to provide for the establishment and location of an Asylum for the Deaf and Dumb, to raise a board of Commissioners for the same, and to define the rules under which persons may receive its benefits and for other purposes, and to appropriate a sum of money for the benefit of the same.

Mr. Turner introduced the following resolution, which was read :

*Resolved*, That it shall henceforth be the duty of the Committee on Finance, to inquire into all disbursements of the contingent fund and report the same to this House, showing fully for what each disbursement was made.

The House proceeded with the call of the counties, and the following bills were introduced and read the first time, to wit :

Mr. Stephens reported

A bill to be entitled an act to incorporate the Barnesville Collegiate Seminary for young ladies, appoint Trustees for the same, and for other purposes therein contained.

• Mr. Hendrick reported

A bill to be entitled an act to change the name of James Jefferson Shuffield, to James Jefferson Padgett, and to legitimize him as the heir of Elijah Padgett, of Randolph county.

Mr. Robinson of Washington, reported

A bill to be entitled an act to authorize John W. Pate, a cripple man of the county of Washington, to peddle goods, wares and merchandize, within the county of Washington, without license and without being subject to pay any tax therefor.

Mr. Rumph reported

A bill to be entitled an act to compel persons living in the county of Wayne, to give in and pay their taxes in said county, for all the property they may own in the State.

The House then took up the report of the Committee on the bill to be entitled an act to improve the navigation of the great Ogeechee River, so far as the appointment of new Commissioners are concerned.

Mr. Gross moved to amend the 1st Section of said bill, by adding the name of William C. Cooper, of the county of Scriven, to said Commissioners; which amendment was adopted.

The report of the Committee, as amended, was agreed to, The bill was read the third time and passed.

On motion of Mr. Durden, the rules of the House were suspended, and the House took up the report of the Committee on the reconsidered bill to be entitled an act to appropriate a sum of money to remove obstructions from the Big and Little Ohoopee Rivers, and to render the same navigable for the transportation of timber, rafts, lumber, wood and produce thereon, and for other purposes herein mentioned.

Mr. Walker moved to amend the 3d Section, by adding to the Commissioners therein named, the names of James Herrington Drury, and S. Moore; which was agreed to.

Mr. Walker, also, moved to amend by adding the following additional Sections, immediately preceeding the repealing Section of said bill.

*"And be it further enacted,* That it shall be the duty of said Commissioners to advertise in some public Gazette. and at three or more of the most public places in the vicinity of said River for at least thirty days, for sealed bids for contracts for working and improving each Section of the work on said River, which said bids shall be opened by the Commissioners, and the contract shall thereby then be awarded to the lowest bidder, provided said bidder shall enter into bond with good security, to be approved by said Commissioners, for the faithful performance of said work on each of said Sections, within the time prescribed.

*"And be it further enacted,* That upon failure of said

Commissioners to apply said sum of money or any part thereof, to the purposes herein before specified, on or before the first day of December in the year 1855, then and in that event the said sum of money or so much thereof, as shall remain unexpended, shall revert to the treasury of this State ;” which amendment was agreed to.

And upon the question, “ Shall this bill now pass ?” the yeas and nays were required to be recorded, and are : yeas 70, nays 32.

Those who voted in the affirmative are, Messrs.

Alread,	Hardeman,	R. A Robinson,
Arnold.	Hays,	N. Robinson,
Bostwick,	Hawkins,	Shine,
Bridges,	Hardison,	W Smith,
Calloway,	Hendrick,	Stapleton,
Cameron,	Jones,	Staten,
Carlton,	Keith,	Stephens,
Champion,	Latham.	L. S. Stewart,
Clark,	Leverett,	J. Stewart,
Benj. Cleveland,	Masters,	Strickland,
Crittenden,	McCurdy,	Strother,
Dawson,	McDougald,	Sweat,
Dubignon,	McLean,	J. Taylor,
Durden,	McMullin,	D. W. Taylor,
Dial,	Moody,	Turner,
Eberhart,	Moughon,	W. A. Walton,
Fields,	Paris,	Walker,
Griffin,	Phillips,	West,
Gross,	Pickett,	A. J. Williams,
J Hardin,	Pottle,	Williamson,
Haynie	Powers,	Woodward,
Harris,	Radford,	Young,
Harrison,	G. R. Reid,	
Hatton,	Riley,	

Those who voted in the negative are, Messrs.

Adams,	Henderson,	M. Reid,
Andrews,	Holland,	Reynolds,
Armstrong,	Hudson,	Rice,
Bell,	Irwin,	W. R. Smith,
W C. Cleveland,	Mangham,	Stokes,
Cody,	Manor,	J. H. Walton,
Crawford,	McWhorter,	Whitworth,
Denham.	Mobley,	H. L. Williams,
Fish,	Nichols,	Williford,
Gartrell,	Poole,	Yopp.
W P. Harden,	Redding,	

So the bill was passed under the title thereof.

The House took up the report of the committee, on the bill to be entitled an act to change the time of holding the fall term of the Superior Court of Bulloch county.

The report of the committee was agreed to ; the bill was read a third time and passed.

The House took up the report of the committee, on the bill to be entitled an act to incorporate the Oregon Steamboat Company of Georgia.

The report of the committee was agreed to ; the bill was read a third time and passed.

Mr. Young reported

A bill to be entitled an act to authorize the building, opening and constructing a Rail Road from some point on the road that may be erected by the Blue Ridge Rail Road Company, between the town of Clayton, in Rabun county, and the North Carolina line, through the counties of Rabun and of Union, to the Tennessee or North Carolina line, in the direction of the Copper Mines, in Polk county, Tennessee, at Duck Town, and to grant corporate powers and privileges to the same.

On motion of Mr. Crittenden, the House adjourned until 3 o'clock, P. M.

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### THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

The House proceeded with the unfinished business of the morning, which was, reading bills the first time, and Mr. Gartrell introduced the following bill, which was read the first time :

A bill to be entitled an act to divorce Eugene B. Foote of the county of Cobb, and his wife Sarah J. Foote, and to invest him with all the rights and immunities he would have been entitled to, if he had never been married.

Mr. Reid, of Carroll, reported

A bill to be entitled an act to authorize Bowen & Brothers, a Manufacturing Company in the county of Carroll, to raise by lottery, a certain sum of money therein named, and to incorporate said company.

Mr. Fannin reported

A bill to be entitled an act to amend the several acts in force to incorporate the town of West Point, in Troup county, and for other purposes.

The House then proceeded with the regular order of the evening, which was the reading of bills the second time, and

the following bill was taken up, read the second time, and committed for a third reading, to wit :

A bill to be entitled an act to incorporate the town of Whitesville, in the county of Harris, and to provide for the election of Commissioners for the same.

A bill to be entitled an act to authorize the Commissioners of the town of Louisville to sell and dispose of such streets as they may think proper, and to make valid deeds to such streets as may have been sold by previous Boards of Commissioners.

A bill to be entitled an act to legitimize Matilda Officer, wife of Thomas M. Officer, and for other purposes therein mentioned.

On motion of Mr. Hardeman, the rules of the House were suspended, and the House proceeded to the reading of bills the third time.

The House took up the report of the committee, on the bill to be entitled an Act to incorporate the Dade County Iron Manufacturing and Coal Company.

The report of the committee was agreed to ; the bill was read the third time and passed.

The House took up the report of the committee, on the bill to be entitled an act to remove an election precinct in the county of DeKalb.

The report of the committee was agreed to ; the bill was read the third time and passed.

The House went into Committee of the Whole, Mr. Arnold in the Chair, on the bill to be entitled an act for the relief of William Taylor, of the county of Coweta. After some time being spent thereon, the committee arose, and Mr. Arnold reported the bill back to the House, without amendment.

The report of the committee was agreed to ; the bill was read the third time and passed.

The rules of the House being suspended, the following bill was introduced, and read the first time :

Mr. Crawford reported

A bill to be entitled an act to prevent the abatement of suits in certain cases.

The House took up the report of the committee, on the bill to be entitled an act to provide for the payment of Nathan Center of the county of DeKalb, a teacher of poor children in said county, in the years 1850, 1851 and 1852.

The report of the committee was agreed to ; the bill was read the third time and passed.

The House took up the report of the Committee, on the bill to be entitled an act to encourage internal improvements in the State of Georgia—to which a substitute had been offered.



Mr. Mobley moved the printing of one hundred and fifty copies of the original and substitute ; which was lost.

Mr. Hardeman moved to lay the bill and the substitute on the table for the present ; which was agreed to.

Mr. Trice offered the following resolution :

*Resolved*, That no new matter be received into this House, after Wednesday next, except in relation to elections ; which was read.

The House went into Committee of the Whole, Mr. Arnold in the chair, on the bill to be entitled an act, to authorize his Excellency, the Governor, to draw his warrant on the Treasury, in favor of James R. Henry, of Gwinnett county, for the sum of \$12 14 cents—the same being the amount of one half of a double tax by him paid for the year 1853 ; and after some time being spent thereon, the committee rose, and Mr. Arnold reported the bill back to the House without amendment.

Mr. Hardeman moved to lay the foregoing bill on the table for the balance of the session.

Upon which motion, the yeas and nays were required to be recorded, and are : yeas 55, nays 39

Those who voted in the affirmative are Messrs.

Alread,	Hardeman,	Staten,
Anderson,	Holland,	Stephens,
Andrews,	Leverett,	Strickland,
E. B. Arnold,	Mangham,	Strother
Armstrong,	Maxwell,	Sweat,
Bell,	McCurdy,	J. Taylor,
Bostwick,	McLean,	Trice,
Carlton	Mobley,	Turner,
Champion,	Moughon,	W. A. Walton,
Benj. Cleveland,	Nichols,	J. H. Walton,
Cody,	Pickett,	Walker
Crittenden,	Poole,	H. L. Williams,
Denham,	Redding,	A. J. Williams,
Dial,	G. R. Reid,	Williamson,
Fannin,	Reynolds,	Williford,
W. P. Harden,	R. A. Robinson,	Woodward,
James Hardin,	N. Robinson,	Yopp.
Harrison	Rumph,	
Hatton,	Stapleton,	

Those who voted in the negative are, Messrs.

Adams,	Crawford,	Fields,
Bridges,	Dawson,	Eberhart,
Calloway,	Durden,	Griffin,

Gross,	McMillan,	G. K. Smith,
Haynie,	McMullin,	W R. Smith,
Harris,	Mc Whorter,	W Smith,
Hays,	Paris	L. S. Stewart,
Hardison,	Phillips,	J. Stewart,
Hamilton,	Powers,	Stokes,
Henderson,	Radford,	D. W. Taylor,
Keith,	M Reid,	West,
Latham,	Rice,	Whitworth.
Manor,	Riley,	Young,

So the motion to lay on the table prevailed.

The House went into Committee of the Whole, Mr. Arnold in the Chair, on the bill to be entitled an act to authorize and require the Ordinaries of the counties of Macon and Sumter, to pay to William M. Thelkeld of the county of Sumter, certain sums of monies for teaching poor children of said counties, and for other purposes therein mentioned.—After some time spent thereon.

On motion of Mr. Cleveland, of Habersham, the committee rose and reported the bill back to the House, without amendment. The report was agreed to, and the bill was lost.

The House took up the report of the committee, on the bill to be entitled an act to authorize Isaac Mullenax, of the county of Gilmer, to practice medicine on the Botanical system, and to charge for the same.

The report was disagreed to, and the bill was lost.

The House took up the report of the committee, on the bill to be entitled an act to authorize certain itinerant peddlers therein named, to vend goods, &c., in the sixth District.

Mr. McMullin offered the following amendment, which was adopted.

*“And be it further enacted, That John Quick, an infirm man of the county of Macon, be allowed to peddle in the county of Macon ; and also, James Rudderford, an infirm man, of the county of Lumpkin, to peddle in the counties of Lumpkin and Union, without license.”*

Mr. Reid, of Carroll, offered the following amendment which was adopted : *“And that William Timmons be authorized to vend good. &c., in the 4th and 5th Congressional Districts.”*

Mr. Radford offered the following amendment ; which was adopted : *“And that John B. Cashions of the county of Lowndes, be allowed to peddle in said county, without license.”*

Mr. Crawford offered the following amendment ; which

was adopted, to wit : "And also, any infirm man in the limits of the State."

Mr. Phillips offered to amend the bill, as follows : "Provided, each of the above named persons peddle in the counties in which they live ;" which amendment was adopted.

Mr. Hardeman moved to lay the bill and amendments on the table for the balance of the session. Upon which motion, the yeas and nays were required to be recorded and are: yeas 59, nays 35.

Those who voted in the affirmative are, Messrs.

Adams,	Harrison,	W. Smith,
Anderson,	Hatton,	Stapleton,
Andrews,	Hardeman,	Stephens,
Arnold,	Hardison,	J. Stewart,
Armstrong,	Hamilton,	Stokes,
Bostwick,	Jones,	Strickland,
Bridges,	Keith,	Strother.
Cameron,	Leverett,	Sweat,
Carlton,	Mangham,	D. W. Taylor,
Benj. Cleveland,	Manor,	Trice,
Cody,	McCurdy,	Turner,
Crittenden,	McLean,	J. H. Walton,
Eberhart,	McWhorter,	Walker.
Fannin,	Moughon,	A. J. Williams,
Fields,	Pickett,	Williamson,
Fish,	Powers,	Williford,
Griffin,	Redding,	Woodward,
W P. Harden,	N. Robinson,	Young,
James Hardin,	Rumph,	Yopp.
Harris,	W R. Smith,	

Those who voted in the negative are, Messrs.

Alread,	Latham,	Trice,
Bell,	Maxwell,	Riley,
Calloway,	McMillan,	R. A. Robinson,
Champion,	McMullin,	G. K. Smith,
Clements,	Mobley,	Staten,
Crawford,	Moody,	L S Stewart,
Dawson,	Nichols,	J. Taylor,
Denham,	Paris,	West,
Dubignon,	Poole,	Whitworth,
Gross,	Radford,	H. L. Williams,
Hays,	G. R. Reid,	
Hendrick,	M. Reid,	

So the motion to lay on the table prevailed.

The House took up the report of the Finance Committee on the bill to be entitled an act to authorize the county Lumpkin, to retain the State tax for the years 1854 and 1855.

Mr. Keith moved to recommit the bill to a Special Committee. Upon which motion, the yeas and nays were required to be recorded, and are : yeas 40, nays 42.

Those who voted in the affirmative are, Messrs.

Adams,	Harrison,	Riley,
Alread,	Hamilton,	G. K. Smith,
Arnold,	Henderson,	Wm. Smith,
Armstrong,	Hudson,	Stephens,
Bostwick,	Keith,	L. S. Stewart,
Bridges,	Linn,	Stokes,
Calloway,	McCurdy,	Strother,
Cameron,	McLean,	D. W. Taylor,
Champion,	McMullin,	Walker,
Benj. Cleveland,	McMillan,	Whitworth.
Crawford,	Paris,	Woodward,
Fields,	Pickett,	Young,
Griffin,	Powers,	
Harris,	Richardson,	

Those who voted in the negative are, Messrs.

Anderson,	Jones,	M. Reid,
Carlton,	Latham,	Reynolds,
Cody,	Mangham,	Rumph,
Crittenden,	Maxwell.	W. R. Smith.
Denham,	Manor,	Stapleton,
Durden,	McWhorter,	Staten,
Dial,	Mobley,	J. Stewart,
Eberhart,	Moody,	Strickland,
W. P. Harden,	Moughon,	Trice,
Hatton,	Nichols,	W. A. Walton,
Hardeman,	Poole,	West,
Hays,	Radford,	H. L. Williams,
Hardison,	Redding,	A. J. Williams,
Holland,	G. R. Reid,	Williford,

So the motion to recommit to a Special Committee, was lost.

On motion of Mr. Adams, the House adjourned until half past 9 o'clock, to-morrow morning.

THURSDAY, JANUARY 12th, 1853.

The House met pursuant to adjournment.

Mr. McMullin moved to reconsider so much of the journals of yesterday as relates to the motion to lay the bill authorizing certain itinerant traders to peddle without license, upon the table for the balance of the session, and upon the question to reconsider, the yeas and nays were required to be recorded, and are : yeas 40, nays 52.

Those who voted in the affirmative are, Messrs.

Alread,	Masters,	G. K. Smith,
Bell,	Maxwell,	Staten,
Brown,	McLean,	L. S. Stewart,
Calloway,	McMullin,	Strother,
Cameron,	McMillan,	J. Taylor,
W. C. Cleveland,	Paris,	J. H. Walton,
Durden,	Pickett,	Whitworth,
Fields,	Poole,	H. L. Williams,
Gartrell,	Redding,	A. J. Williams,
Gross,	G. R. Reid,	Williamson,
Haynie,	M. Reid,	Woodward,
Hays,	Rice,	Young.
Hamilton,	Riley,	
Keith,	R. A. Robinson,	

Those who voted in the negative are, Messrs.

Adams,	Hardison,	Powers,
Anderson,	Henderson,	Reynolds,
Arnold,	Hendrick,	N. Robinson,
Bostwick,	Hudson,	Rumph,
Bridges,	Irwin,	Shewmake,
Carlton,	Jones,	W. R. Smith,
Champion,	Leverett,	W. Smith,
Benj. Cleveland,	Linn,	Stapleton,
Crittenden,	Mangham,	Stephens,
Dial,	Manor,	Stokes,
Eberhart,	Mays,	Strickland,
Fish,	McCurdy,	D. W. Taylor,
Griffin,	McDonald,	W. A. Walton,
W. P. Harden,	McDougald,	Walker,
J. Hardin,	McWhorter,	West,
Harris,	Mobley,	Yopp.
Harrison,	Moughon,	
Hatton,	Pottle,	

So the motion to reconsider was lost.

Mr. Keith moved to reconsider so much of the journal of yesterday as relates to the motion to refer to a Special Committee, the bill to retain the State Tax of Lump county, for the years 1854 and 1855, for said county.

Upon which motion the yeas and nays were required to be recorded, and are : yeas 47, nays 55.

Those who voted in the affirmative are, Messrs

Adams,	Hamilton,	R. A. Robinson,
Brown,	Keith,	Wm. Smith,
Calloway,	Masters,	Stapleton,
Benj. Cleveland,	Mays,	Staten.
Crittenden,	McCurdy,	L. S. Stewart,
Durden,	McDougald,	J. Taylor,
Dial,	McMullin,	D. W. Taylor,
Fields,	McMillan,	Turner,
Gartrell,	Mobley,	Walker,
Griffin,	Paris,	Whitworth,
Gross,	Phillips,	H. L. Williams,
J. Hardin,	Pickett,	A. J. Williams,
Haynie,	Powers,	Williamson,
Harris,	Radford,	Woodward,
Hays,	G. R. Reid,	Young.
Hawkins,	Riley,	

Those who voted in the negative are, Messrs.

Alread,	Henderson,	N. Robinson,
Andrews,	Hendrick,	Rumph,
Arnold,	Holland,	Shewmake,
Armstrong,	Hudson,	J. C. Smith,
Bell,	Irwin,	G. K. Smith,
Bridges,	Jones,	W. R. Smith,
Cameron,	Mangham,	J. Stewart,
Carlton,	Maxwell,	Stokes,
W. C. Cleveland,	Manor,	Strickland,
Crawford,	McDonald,	Strother,
Dawson,	McLean,	Sweat,
Denham,	McWhorter,	Trice,
Eberhart,	Nichols,	W. A. Walton,
Fish,	Poole,	J. H. Walton,
W. P. Harden,	Pottle,	West,
Harrison,	Redding,	Williford,
Hatton,	M. Reid,	Yopp,
Hardeman,	Reynolds,	
Hardison,	Rice,	

So the motion was lost.

Mr. Williams of Sumter, moved to reconsider so much of the journals of yesterday as relates to the bill in relation to the Ordinary of said county of Sumter paying certain accounts. for teaching poor children &c.; which motion was agreed to.

The House then proceeded with the unfinished business of yesterday, which was the report of the committee on the bill to be entitled an act to authorize the county of Lumpkin to retain the State tax, for the years 1854, 1855.

Mr. Keith moved to strike out 1855; which motion was agreed to.

Mr. Keith then moved that the bill be laid upon the table for the present, and upon the call of Mr. Reynolds, the yeas and nays were required to be recorded, and are, yeas 44, nays 61.

Those who voted in the affirmative are, Messrs.

Anderson,	Haynie,	G. R. Reid.
Armstrong,	Harris,	Riley,
Bostwick,	Hays,	R. A. Robinson,
Brown,	Hamilton,	G. K. Smith,
Calloway,	Keith,	W. Smith,
Champion,	Latham.	Staten,
Clark,	Linn,	L S Stewart.
Benj. Cleveland,	Masters.	D. W. Taylor,
Crawford,	McCurdy,	Turner,
Dawson,	McDonald,	Walker,
Dial,	McDougald,	Whitworth.
Eberhart,	McMullin,	H. L. Williams,
Fields,	Mobley,	Williamson.
Gartrell,	Paris,	Young,
Gross.	Powell,	

Those who voted in the negative are Messrs.

Alread,	Fish,	Hudson,
Andrews,	Griffin,	Irwin,
Arnold,	W. P. Harden,	Jones,
Bell,	Harrison.	Leverett,
Bridges,	Hatton,	Mangham,
Cameron.	Hardeman,	Manor,
Carlton,	Hawkins,	Mays,
W. C. Cleveland,	Hardison,	McLean,
Crittenden,	Henderson,	McWhorter,
Denham,	Hendrick,	Moughon,
Fannin,	Holland,	Nichols.

Pickett,	Shewmake,	Trice,
Poole,	W R: Smith,	W A. Walton,
Pottle,	Stephens,	J. H. Walton,
Powers,	Stapleton,	West.
Redding,	J. Stewart,	A. J. Williams,
M. Reid.	Stokes,	Williford,
Reynolds,	Strickland,	Woodward,
Rice.	Strother,	Yopp.
N. Robinson,	Sweat,	
Rumph,	J. Taylor.	

So the motion to lay on the table was lost.

The report of the committee was then agreed to. The bill was read the third time, and upon the question, "Shall this bill now pass?" on the call of Mr. Keith, the yeas and nays were required to be recorded, and are : yeas 17, nay 9.

Those who voted in the affirmative are, Messrs.

Calloway,	McDonald,	R. A. Robinson.
Durden,	McDougald,	Strickland,
Hays,	McMillan,	H. L. Williams,
Hawkins,	McMullin,	A. J. Williams.
Keith,	Paris,	Yopp.
Latham,	Riley,	

Those who voted in the negative are Messrs.

Adams,	Dodds,	Hudson.
Alread,	Dial,	Irwin,
Anderson,	Eberhart,	Jones,
Andrews,	Fannin,	Leverett,
Arnold,	Fields,	Linn,
Armstrong,	Fish,	Mangham,
Bell,	Gartrell,	Masters,
Bostwick,	Griffin,	Maxwell,
Bridges,	W P Harden,	Manor,
Brown,	Haynie,	McCurdy,
Cameron,	Harris,	McLean,
Carlton,	Harrison,	McWhorter,
Champion,	Hatton,	Mobley,
Clark,	Hardeman,	Moughon,
Benj. Cleveland,	Hardison,	Nichols,
W C. Cleveland,	Hamilton,	Pickett,
Crawford,	Henderson,	Poole,
Crittenden,	Hendrick,	Pottle,
Denham,	Holland,	Powell,



Powers,	W. R. Smith,	D. W. Taylor,
Radford,	Stapleton,	Trice.
Redding,	Staten,	Turner,
G. R. Reid,	Stephens,	W. A. Walton.
M. Reid,	L. S. Stewart,	West,
Reynolds.	J. Stewart,	Whitworth,
Rice,	Stokes,	Williamson,
N. Robinson,	Strickland,	Wilson,
Rumph,	Strother,	Williford,
Shewmake,	Sweat,	Woodward,
G. K. Smith,	J. Taylor,	

So the bill was lost.

The following message was received from the Senate by Mr. Moore, their Secretary :

*Mr. Speaker*—The Senate has passed the following bills, to wit :

A bill to authorize the Governor to issue a grant to Zadock Bonner, for fraction number 280, in the 8th District of Carroll county. Also,

A bill to establish and make uniform the rates of ferriage and to regulate ferries, and to make penal any violation of the same, so far as relates to the counties of Decatur and Camden, in this State, and for other purposes. Also,

A bill in relation to the limitation over of estates. Also,

A bill to authorize land owners on the Altamaha river and Finholoway creek, in Wayne county, to build lumber yards or wharves on said river and creek and charge for the use of the same. Also,

A bill to alter and amend the 8th Section of the 4th Division of the Penal Code of this State. Also,

A bill to protect those engaged in the turpentine business, and to prevent the setting on fire woods, grass or marshes, except at certain times, and under certain circumstances, so far as the county of Early is concerned. Also,

A bill to incorporate the Georgia and Florida Steam Packet Company. Also,

A bill to amend the laws now of force relative to the service of bills in equity and libels for divorce and the several acts fixing the time allowed Clerks to copy and attach process thereto, and to Sheriffs for serving the same. Also,

A bill to alter and amend the act, passed on the 25th of December, 1821, in relation to the distribution of estates, so far as relates to advancements. Also,

A bill to extend certain privileges to the Irish Volunteers, in the city of Augusta, and to incorporate and confer certain privileges upon the Talbot Guards and the Atlanta Guards. Also,

A bill to prescribe the mode and manner of ascertaining

damage done to inclosed and uninclosed lands, by reason of the laying out of public roads or private ways through the same, and for other purposes, so far as the county of Decatur is concerned.

Mr. McDougald, from the Judiciary Committee, made the following report :

The Judiciary Committee, to whom was referred a bill to be entitled an act to abolish imprisonment for debt in this State, and for other purposes, have bestowed upon its provisions much consideration. The humane objects of the bill cannot for a moment be successfully denied. The deprivation of the personal liberty of a freeman for no crime, but a mere error in judgment in trade or commerce, is deemed to be at variance with the mild and enlightened spirit of our republican form of government. Imprisonment for debt had its origin under a harsh and heartless monarchy, where oppression was the ruler's joy and the restraint of personal liberty man's bitterest crime. In practice, the system even here, enables one man to crush another by a mere oath—where the plaintiff has a deep pecuniary interest—where the mouth of the defendant is hermetically sealed. Even handed justice would seem to require sternly, as this bill provides, that the defendant, whose personal liberty has been restrained by an oath, should have the same power, by an oath, to release his person from imprisonment. The system fosters in the breast of the plaintiff a proud, haughty, supercilious, overbearing disposition, that leads, sooner or later, to disastrous consequences. In the breast of the imprisoned man, it destroys every ray of hope, produces despondency and recklessness, stampshim in public estimation with a disgrace from which the future affords no escape. The result of our system of imprisonment for debt, heretofore in practice, has been little else than a forced exaction of money from *sureties*—that most humane, generous, kind-hearted class of the community, who step forward with an open purse and pay, rather than witness the exaction of the pound of flesh—rather than see a man ruthlessly torn from a wife and children in tears, and confined in a jail. If legislation can relieve such a noble class and leave them free to bestow their charity upon its other numberless objects, and prop up the honest and unfortunate debtor induce him to hope and labor, then countless benefits will inure to our people. Your committee have observed with gratification that State after State has in the process of the age abolished imprisonment for debt, until it now scarcely has a resting place in any part of this vast confederacy. From these and many other considerations that will readily present themselves to this House, we trust Georgia will take the step, and therefore we recommend the passage of the bill.

ALEXANDER McDOUGALD,  
Chairman Judiciary Committee.

The committee to whom was referred a bill to be entitled an act to make uniform the decisions of the Supreme Court, have carefully examined its provisions and have come to the conclusion that it is unwise and inexpedient to pass the same, and have therefore to report against its passage.

ALEX. McDOUGALD, Ch'n. Jud. com.

The Judiciary committee, to whom was referred a bill to be entitled an act relative to continuances in certain cases therein named, and for other purposes, have carefully examined its provisions, and with a slight amendment, which the committee have appended to it, they recommend to the House unanimously its passage,

ALEX. McDOUGALD, Ch'n. Jud. com.

The Judiciary committee to whom was referred a bill to be entitled an act to allow executors, administrators and guardians to resign their trusts on certain conditions, have had the same under consideration, and deem its provisions expedient and wise, and unanimously concur in recommending its passage by this House.

ALEX. McDOUGALD, Ch'n. Jud. com.

The Judiciary committee to whom was referred a bill to be entitled an act to define the liabilities of Railroad companies in this State, have had the same under consideration and report in favor of the passage of the bill reported by the chairman of the special committee, Mr. Redding, of Monroe.

ALEX. McDOUGALD, Ch'n. Jud. com.

The Judiciary committee to whom was referred a bill to be entitled an act to authorize masters of slaves and guardians of free persons of color to give bail in certain cases for their appearance in court, have had the same under consideration and report against its passage unanimously.

ALEX. McDOUGALD, Ch'n. Jud. com.

The committee on the Judiciary to whom was referred a bill to be entitled an act to require clerks, sheriffs and ordinaries to record certain advertisements therein named, have had the same under examination. The committee believe that as the law now exists, all sheriff's advertisement are recorded when the *fi. fa.* on which the levies are entered is returned to its proper officer, entered upon the execution docket again when a sale takes place under a *fi. fa.* The deed of the Sheriff contains substantially the advertisement, and that is recorded. In regard to all other advertisements included in said bill the law now requires its officers to preserve a file of the newspapers in which they are published, which is deemed sufficient. If the bill were enacted into a law the recording fees would amount in the whole State to a very large sum of money, which the committee deem an

unnecessary burden upon the people and the estates of deceased persons? The committee therefore report unanimously against the passage of the bill.

ALEX. McDOUGALD, Ch'n. Jud. com.

Mr. Williams of Sumter moved to take up the reconsidered bill of this morning requiring the ordinaries of the counties of Macon and Sumter to pay Wm. M. Threlkeld, of the county of Sumter, certain sums of money for teaching poor children of said counties; which motion was agreed to.

Mr. Williams of Sumter moved to strike out the 3rd section; which was agreed to.

Mr. Latham offered the following amendments:

“That the Ordinary of the county of Campbell be authorized to pay the account of Thomas J. Moor, for teaching poor children in said county during the year 1853, upon due proof thereof.”

“And that the commissioner of the Poor School Fund of Habersham county be authorized to pay the amount due Thomas J. Hughes of said county, for teaching poor children, on the proper evidence being produced that his account is just and should be paid.”

On motion of Mr. Latham, the bill was recommitted.

The amendments were adopted.

The report of the committee was agreed to. The bill was read the third time and passed.

The House proceed to the regular order of the day, which was reading bills the third time.

The House took up the report of the committee on the bill to be entitled an act to authorize Justices of the Inferior Court to hold to bail in cases arising *ex delicto*.

The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to reduce the Sheriff's bond of Decatur county.

The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to extend the jurisdiction of the Justices of the Peace of Lumpkin county.

Mr. McCurdy moved to recommit the bill; which was agreed to.

Mr. Dial then moved to amend the bill as follows:

“That Appling county be entitled to the provisions of this act;” which motion was agreed to.

Mr. Hendrick moved that Randolph county be included; which was agreed to.

Mr. McCurdy moved that every county in the State be

entitled to the benefits of this act; which motion was agreed to.

Mr. Walker then moved that the bill and amendments thereto, be laid upon the table for the balance of the Session.

Upon which motion the yeas and nays were required to be recorded and are : yeas 42, nays 54.

Those who voted in the affirmative, are Messrs.

Adams,	Harris,	Rice,
Andrews,	Harrison,	Shewmake,
Arnold,	Irwin,	G. K. Smith,
Armstrong,	Jones,	W. Smith,
Bostwick,	Latham,	Stephens,
Brown,	Maxwell,	L. S. Stewart,
Calloway,	Mays,	Strother,
Cameron,	McCurdy,	Sweat,
Champion,	McDougald,	J. Taylor,
Clark,	McWhorter,	Turner,
Crawford,	Phillips,	Walker,
Eberhart,	Poole,	Williford,
Gross,	Pottle,	Woodward,
W. P. Harden,	Powers,	Yopp,

Those who voted in the negative are, Messrs.

Alread,	Hardison,	G. R. Reid,
Anderson,	Hamilton,	M. Reid,
Bell,	Headen,	Reynolds,
Bridges,	Henderson,	Rumph,
Carlton,	Hendrick,	Stapleton,
Benj. Cleveland,	Hudson,	Staten,
W. C. Cleveland,	Keith,	J. Stewart,
Dawson,	Masters	Stokes,
Denham,	Manor,	Strickland,
Durden,	McDonald,	D. W. Taylor,
Dial,	McLean,	Trice,
Fannin,	McMillan,	J. H. Walton,
Fields,	McMullin,	West,
Gartrell,	Nichols,	Whitworth,
Griffin,	Paris,	H. L. Williams,
Haynie,	Powell,	A. J. Williams,
Hatton,	Radford,	Williamson,
Hays,	Redding,	Young,

So the motion to lay on the table was lost.

Mr. Alread then called for the previous question; which call was sustained.

And upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded, and are: yeas 39, nays 61.

Those who voted in the affirmative are Messrs.

Alread,	Headen,	M. Reid,
Anderson,	Henderson,	Riley,
Bell,	Hendrick,	Rumph,
Bridges,	Hudson,	Stapleton,
Benj. Cleveland,	Keith,	Staten,
Denham,	Masters	J Stewart,
Dial,	Manor, *	Stokes,
Fannin,	McLean,	Strickland,
Fields,	McMillan,	D W Taylor
Gartrell.	Paris,	J. H. Walton,
Haynie,	Powell,	West,
Hays,	Powers,	Whitworth,
Hardison,	G. R. Reid,	H. L. Williams,

Those who voted in the negative are Messrs.

Adams,	Hawkins,	Reynolds,
Andrews.	Hamilton,	Rice,
Arnold,	Holland,	N. Robinson,
Armstrong;	Irwin,	Shewmake,
Bostwick,	Jones,	G. K. Smith,
Cameron,	Latham,	Wm. Smith,
Carlton,	Leverett,	Stephens,
Champion,	Linn,	L. S. Stewart,
Clark,	Mangham,	Strother,
W. C. Cleveland,	Mays	Sweat,
Crawford,	McCurdy,	J. Taylor,
Dawson,	McDonald,	Turner,
Durden,	McDougald,	W A. Walton,
Eberhart,	McGregor,	Walker,
Griffin,	McMullin,	A. J. Williams,
Gross,	McWhorter,	Williamson,
W. P. Hardin,	Phillips,	Williford,
James Hardin,	Poole,	Woodward,
Harris,	Pottle,	Yopp.
Harrison,	Radford,	
Hatton.	Redding,	

So the bill was lost.

On motion of Mr. Gross the rules of the House were suspended, and the following bill was introduced and read the first time, to wit:

Mr. Gross reported

A bill to be entitled an act to authorize the Justices of the Inferior court of Scriven county to open the land office of said county, and to vest them with all the powers of holding land courts, that is now exercised by the Justices of the Peace of said county, in lieu of said Justices.

The rules of the House were further suspended, and

Mr Manor reported

A bill to be entitled an act for the relief of Robert B Bostwick of the county of Cobb.

On motion of Mr. Gartrell, the rules of the House were further suspended, and

Mr. Hardin of Paulding reported

A bill to be entitled an act to change the name of Missouri Binum to Missouri Hackett, of the county of Paulding and to legitimize the same. Also.

A bill to be entitled an act for the relief of the citizens of Paulding county.

On motion of Mr. Pottle, the rules were further suspended, to allow him to introduce the following bill, to wit:

A bill to be entitled an act to prevent the abatement of certain actions at law.

On motion, leave of absence was granted to Mr. Hood for a few days, on account of the illness of his family.

Leave of absence was also granted to Mr. Dodds for a few days, on account of the illness of his family.

On motion of Mr. Phillips the House went into committee of the Whole—Mr. Arnold in the chair—on the bill to be entitled an act to appropriate money for the purposes therein mentioned; and after some time spent thereon, the committee rose, and Mr. Arnold reported the bill back to the House without amendment.

The report of the committee was agreed to. The bill was read the time and passed.

On motion of Mr. Phillips, the clerk was directed to transmit the bill to the House immediately.

On motion of Mr. Fields, the House then adjourned until 3 o'clock, P. M.

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### THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

The House proceeded to the regular order of the evening which was reading bills a second time, and the following bills were taken up read the second time, and ordered to be committed for a third reading:

A bill to incorporate the Milledgeville Hotel Company.

A bill to be entitled and act to authorize the Inferior Courts of Bryan county to lay out and dispose of, as they may deem necessary, the lots belonging to the county site of said county, and for other purposes therein specified.

Mr. Haynie moved to take up the following bill :

A bill to be entitled an act to amend an act entitled an act to provide for the establishment and location of an asylum for the deaf and dumb—to raise a board of commissioners for the same, and to define the rules under which persons may receive its benefits, and for other purposes, and to appropriate a sum of money for the benefit of the same.

The following message was received from the Senate by Mr. Moore, their Secretary.

*Mr. Speaker*—I am directed by the Senate to transmit to the House of Representatives the bill of the House, organizing a new county from the counties of Gilmer and Union, this day passed by the Senate.

The following bill was taken up and read a second time, and on motion of Mr. Ward, was made the special order of the day for to-morrow, the 13th inst :

A bill to be entitled an act to change the laws now of force in this State, relating to the arrival within the limits of this State of colored seamen.

The following bills were taken up, read a second time and committed for a third reading:

A bill to be entitled an act to incorporate the Salt Springs Academy, in the county of Campbell, and to appoint trustees for the same.

A bill to be entitled an act to incorporate the Ogeechee Plank Road Company, and for other purposes therein named.

A bill to be entitled an act to separate and divide Flora C. Christopherson of the county of Cobb, and John Christopherson, her husband.

A bill to be entitled an act for the relief of Martha W Gray and Louisa A Mahoffy, teachers of poor children of the county of DeKalb, in the years 1847 and 1851

A bill to be entitled an act to incorporate the Lithuania Male and Female Academy, and to appoint trustees for the same.

A bill to be entitled an act to alter and amend the poor school laws of this State.

A bill to be entitled an act to allow Jurors, serving in Justices Courts, additional compensation for verdicts rendered in such courts, so far as relates to the county of Decatur.

A bill to be entitled act to repeal all laws respecting the importation of slaves into this State.

A bill to be entitled an act to authorize attorneys at



law to arrest proceedings at law by *certiorari*, in certain cases.

A bill to be entitled an act to amend an act to alter and amend the several acts, in relation to itinerant traders, and to prescribe their mode of obtaining license, approved November 27th, 1845, so far as to increase the tax on said itinerant traders, in the county of Jasper.

A bill to be entitled an act to amend an act entitled an act to incorporate the Coosa and Chattoega River Rail Road company.

A bill to be entitled an act to compel parties plaintiffs, in Justices Courts, to pay cost before taking out *capias ad satisfaciendum*.

A bill to be entitled an act to repeal the 3d Section of an act to extend the corporate limits of the town of Eatonton—to regulate licenses therein, and to change the time of electing commissioners, and for other purposes, approved January 2d, 1852.

A bill to be entitled an act to incorporate the Eatonton and Covington Rail Road.

A bill to be entitled an act to change the line between the counties of Newton and Walton.

A bill to be entitled an act to incorporate the Clinch Rifles Loan Association.

On motion of Mr. Crawford, the following bill was referred to the Judiciary Committee, to wit :

A bill to be entitled an act to authorize one partner to confess judgment and enter appeal in certain cases.

Mr. Trice moved to suspend the rules, to take up a resolution, in relation to preventing the introduction of any new business after Wednesday next ; which motion was agreed to.

Mr. Trice offered the following, as a substitute to the original resolution, to wit :

*Resolved*, That, after Thursday, the 19th instant, no new matter shall be introduced, unless by the consent of two-thirds of the members of the House, except such as relates to elections ; which was adopted.

After some discussion thereon, Mr. Trice withdrew his resolution.

The following bill was taken up, read the second time, and ordered to be engrossed, to wit :

A bill to be entitled an act to incorporate a Methodist Episcopal Church in the county of Scriven, and appoint trustees for the same.

The following bills were taken up, read the second time, and ordered to be committed for a third reading, to wit :

A bill to be entitled an act for the relief of Linney Pool, formerly Linney Walker, of Wilkes county, and to change the name of said Linney Pool to that of Linney Walker.

A bill to be entitled an act to authorize Doctors William D. Quinn and James H. Lane, of the county of Wilkes, to practice medicine, charge for the same, and for other purposes therein specified.

A bill to be entitled an act to lay out and form a new county from the counties of Muscogee, Marion and Stewart, and organize the same.

A bill to be entitled an act to incorporate the Tocoah Mining Company, and for other purposes.

A bill to be entitled an act to alter and amend the 17th Section of the 1st Article of the Constitution.

A bill to endow the Southern Botanic College at Macon.

A bill to be entitled an act to authorize the Ordinary of Campbell county to pay over to Samuel H. Watson, of said county, forty-two dollars and seventy-five cents, for teaching poor children in the year 1849.

A bill to be entitled an act to exempt John Rowe, of the county of Chattooga, from the Acts of the General Assembly, concerning peddlers, and to authorize him to engage in vending goods, wares and merchandize, without license.

The following bill was taken up, read a second time, and on motion of Mr. Pottle, was referred to the Judiciary Committee, to wit :

A bill to be entitled an act to fix and regulate the fees of Attorneys and Solicitors General in this State.

The following bill was taken up, read the second time, and on motion of Mr. McCurdy, was referred to the Committee on Banks.

A bill to incorporate a Bank in the city of Dalton, to be called the Planters and Mechanics Bank of Dalton.

The following bills were taken up, read a second time, and committed for a third reading, to wit :

A bill to be entitled an act to incorporate the Methodist Episcopal Church, South, at Cave Spring, and for other purposes.

A bill to be entitled an act for the relief of Mary Ann Linton, of Cass county.

A bill to be entitled an act to change the line between the counties of Clarke and Jackson, and to define the same.

A bill to be entitled an act to compel Clerks of the Superior and Inferior Courts, Justices of the Peace, and all other officers of this State, empowered to issue executions, to make out and tax a regular bill of costs in each case.

A bill to be entitled an act to incorporate the Cherokee Wesleyan Institute, located at Cave Spring, and for other purposes herein named.

A bill to be entitled an act to repeal an act entitled an act to repeal the proviso of the 4th Section of an act to alter and amend the road laws of this State, approved Feb-

ruary 11th, 1850, and to provide for the collection of fines from defaulters, and for other purposes therein mentioned, so far as relates to the county of Chatham.

A bill to be entitled an act, requiring all entries upon executions to be copied upon the execution dockets of the courts from whence they issue, within a given time, and to fix a penalty for the non-performance, and for other purposes.

A bill to be entitled an act to provide for the survey of the Sixth District of Habersham county.

A bill to be entitled an act to permit James L. Hobson, an indigent and cripple person of Cherokee county, to peddle without license.

A bill to be entitled an act to amend an act to incorporate the Habersham and Union Turnpike Company, and to grant certain privileges to the same, and for other purposes therein mentioned.

On motion of Mr. Arnold, the House then adjourned until half-past 9 o'clock, to-morrow morning.

## FRIDAY, JANUARY 13th, 1854.

The House met pursuant to adjournment.

The House took up the report of the Committee on the bill to be entitled an act to change laws now of force in this State, relating to the arrival within the limits of this State, of colored, seamen, which was previously made the special order of the day.

The report of the Committee was agreed to, and the bill passed.

The House then proceeded to the regular order of the day, which was the call of counties, when the following bills were introduced and read the first time, to wit:

Mr. Harrison reported

A bill to be entitled an act for the more complete, and efficient organization of the several brigades of the State of Georgia. Also,

A bill to be entitled an act to incorporate the Savannah Lumber Manufacturing and Planing Machine Company.—Also,

A bill to be entitled an act to authorize the substitution of the funded debt of this State, in certain cases.

Mr. Smith of Liberty, reported

A bill to be entitled an act to appropriate a sum of money to remove obstructions from the main channel of Little Canoochee River, the south prong of Canoochee River, in the county of Liberty, and to render the same navigable for

timber, rafts, lumber, wood and produce thereon, and for other purposes herein mentioned.

Mr. Mobley reported

A bill to be entitled an act to extend the powers of the Hamilton Female College Company, incorporated by the Superior Court of Harris county, and for other purposes therein contained.

Mr. Masters reported

A bill to be entitled an act to repeal an act entitled an act to alter and amend the several acts in relation to itinerant traders, and to prescribe the mode of their obtaining license, approved November 27th, 1845, and for other purposes.

Mr. Dubignon reported

A bill to be entitled an act to authorize the issuing of grants to Washington Dyal, of Appling county, for certain fractional lots therein named.

Mr. Mobley reported

A bill to be entitled an act to appropriate money for the purpose of grading a good Wagon Road through the pine mountain, within four miles of the town of Hamilton, in said county, and appoint Commissioners for the same, and for other purposes.

Mr. Riley reported

A bill to be entitled an act to change the line between the counties of Hall and Lumpkin.

Mr. Williams of Sumter, reported

A bill to be entitled an act to require his Excellency the Governor, to draw his warrant on the treasury, in favor of the Ordinary of Sumter county, for a certain sum of money for the purposes therein mentioned.

Mr. Walton of Talbot, reported

A bill to be entitled an act to grant to Ishmael Brannon, of Talbot county, the right and privilege of making a crossing place across the 30th Section of the Muscogee Rail Road, near the village of Geneva, in Talbot county, and for other purposes therein stated.

Mr. Smith of Jasper, reported

A bill to be entitled an act to remove a precinct from the house of Mrs. Anny Greer, to the house of Moses Chaffin, in said District.

Mr. McDougald reported

A bill to be entitled an act to change the time for holding elections for members to represent the people of this State, in the Congress of the United States.

Mr. Latham reported

A bill to be entitled an act to make permanent the election precincts in the 1087th District, Georgia Militia in Paulding county.

Mr. Pottle reported

A bill to be entitled an act to authorize Jacob A. H. Re-

viere, Receiver of Returns of the the county of Warren, to appoint an assistant Receiver.

Mr. Young reported

A bill to be entitled an act to prevent gaming, and to make the punishment of offenders against the gaming laws of this State, more certain.

Mr. Latham reported

A bill to be entitled an act to change the name of William Riley Rodgers, of the county of Campbell, and legitimize the same.

The following message was received from the Senate, by Mr. Moore, their Secretary.

*Mr. Speaker*—The Senate have passed the following bills, to wit:

A bill to construct a Rail Road from the city of Dalton, in Whitfield county, to some fit and eligible point on the Alabama line, over the most practicable route from Dalton to Gadsden, on the Coosa River.

Also, the following bills of the House of Representatives, to wit:

A bill for the relief of Benj. H. Cameron, of Troup county. Also,

The following bill of the House, with amendments to a bill to establish the Mechanics Saving Bank in Savannah, with amendments in which they ask the concurrence of the House of Representatives.

Mr. McCurdy offered the following resolution, which was read:

*Resolved*, That the call of the counties be suspended on and after Thursday, the 19th instant.

The rules of the House being suspended, Mr. Ward moved to take up a bill of the House, to be entitled an act to establish the Mechanics Saving Bank in Savannah; which motion was agreed to.

Mr. Ward then moved to concur in the amendments of the Senate to said bill; which was agreed to.

The House took up the report of the Committee on the bill to be entitled an act to abolish imprisonment for debt in this State, and for other purposes.

Mr. Mobley moved to take up the bill by sections; which was agreed to.

Mr. Walton of Richmond, moved to make the foregoing bill the special order of the day, for Tuesday, the 24th instant; which was lost.

The question then recurred upon the passage of the bill.

Whereupon, on the call of Mr. Turner, the yeas and nays were required to be recorded, and are: yeas 55, nays 50.

Those who voted in the affirmative are, Messrs.

Adams,	Hardeman,	Redding,
Alread,	Hays,	Reynolds,
Arnold.	Hawkins,	Riley,
Bridges,	Hamilton,	Shine,
Cameron,	Headen,	G. K. Smith,
Carlton,	Jones,	Stapleton,
Clark,	Keith,	Staten,
Benj. Cleveland,	Leverett,	L. S. Stewart,
Crittenden,	Masters,	Strotber,
Dawson,	McCurdy,	Turner,
Denham.	McDonald,	Walker,
Durden,	McDougald,	West,
Dial,	McMillan,	Whitworth,
Fannin.	McMullin,	H. L. Williams,
Fields,	Mobley,	A. J. Williams,
Gartrell,	Moughon,	Young,
Griffin,	Paris,	Yopp.
J Hardin,	Pickett,	
Haynie	Radford,	

Those who voted in the negative are, Messrs.

Anderson,	Holland,	R. A Robinson,
Andrews,	Hudson,	N. Robinson,
Armstrong,	Irwin,	Rumph,
Boatright,	Linn,	W. R. Smith,
Brown,	Mangham,	W Smith,
Calloway,	Maxwell,	Stephens,
Champion,	Manor,	J. Stewart,
W. C. Cleveland,	Mays,	Stokes,
Cody,	McGregor,	Strickland,
Eberhart,	Nichols,	Sweat,
Grant,	Phillips,	J. Taylor,
Gross,	Poole,	Trice,
Harris,	Pottle,	W A. Walton,
Harrison,	Powell.	J. H. Walton,
Hatton,	Powers,	Williamson,
Hardison,	M. Reid,	Williford,
Henderson,	Rice,	

So the bill was passed.

On motion of Mr. Harrison, the Clerk was directed to inform the Senate of the concurrence of the House in the amendments of the Senate, to the bill to be entitled an act to establish the Mechanics Saving Bank in Savannah.

On motion of Mr. Haynie, the rules of the House were

suspended, to take up for a third reading, a bill to be entitled an act to amend an act entitled an act to provide for the establishment and location of an Asylum for the Deaf and Dumb, to raise a board of Commissioners for the same, and to define the rules under which persons may receive its benefits, and for other purposes and to appropriate a sum of money for the benefit of the same.

The House then went into Committee of the Whole—Mr. Arnold in the Chair—upon the report of Committee, in relation to the bill in reference to the Deaf and Dumb Asylum.

Mr. Walker offered the following amendment to the 1st Section of said bill, after the word "age," to wit: "Excepting those whose own circumstances or the circumstances of their parents, are such as will admit of the payment of their own expense, to be judged of by the board of Commissioners."

Mr. Phillips moved that the Committee rise and report the bill back to the House with the amendment; which was agreed to.

Mr. Phillips further moved to refer the bill and amendment to a special Committee, which was agreed to, and the bill was referred to the following Committee, to wit: Messrs. Phillips, Haynie, and Walker.

The House took up the report of the Committee on the bill to be entitled an act relative to continuances in certain cases therein mentioned, and for other purposes.

Mr. Pottle offered the following amendment to the 2d Section, by adding as follows: "And that the Court in which the case is tried, shall order the proof expected to be made, to be reduced to writing."

The report of the Committee was agreed to. The bill as amended, was read the third time and passed.

The House took up the report of the Committee on the bill to be entitled an act to alter and amend the third article of the Constitution of this State, so as to give the election of Attorney and Solicitor General for the several Judicial Circuits in this State, to the people.

On motion of Mr. McDougald, the same was laid upon the table for the present.

The House then proceeded with the reading of bills the third time.

The House took up the report of the Committee on the bill to be entitled an act to authorize Masters of slaves, and Guardians of free persons of color, to give bail for their appearance at court.

The report of the Committee was agreed to. The bill was read the third time and lost.

The House took up the report of the Committee on the

bill to be entitled an act to allow Executors, Administrators and Guardians, to resign their trusts on certain conditions.

The report of the Committee was agreed to. The bill was read the third time and passed.

The House took up the report of the Committee on the bill to be entitled an act to make the decisions of Supreme Court uniform.

The report of the Committee was agreed to. The bill was read the third time and lost.

The House took up the report of the Committee on the bill to be entitled an act for the relief of Benjamin D. Hill, of the county of Burke.

The bill was read the third time, and passed over informally.

The House took up the report of the Committee on the bill to be entitled an act to repeal an act entitled an act to provide for the trial by the Superior Courts of this State, of any slave or slaves or free persons of color, charged with any capital offence against the laws of this State, approved 14th February 1850.

The report of the Committee was agreed to. The bill was read the third time, and upon the question, "Shall this bill now pass?" upon the call of Mr. Rumph, the yeas and nays were required to be recorded, and are: yeas 18, nays 72.

Those who voted in the affirmative are, Messrs.

Denham,	Poole,	W. Smith,
Gross,	Powell,	Stokes,
Hamilton,	Radford,	Trice,
Lamar,	Rice,	H. L. Williams,
Mobley,	N. Robinson,	A. J. Williams,
Nichols,	Rumph,	Yopp.

Those who voted in the negative are, Messrs.

Adams,	Benj. Cleveland,	Harrison,
Alread,	Cody,	Hardeman,
Alderson,	Crawford,	Hays,
Andrews,	Crittenden,	Hardison,
E. B. Arnold,	Dawson,	Headen,
Armstrong,	Durden,	Holland,
Bostwick,	Eberhart,	Hudson,
Boatright,	Fannin,	Irwin,
Bridges,	Fields,	Jones,
Calloway,	Graut,	Latham,
Champion,	J. Hardin,	Leverett,
Clark,	Harris,	Linn,



Mangham,	Paris,	Stephens,
Masters,	Phillips,	L. S. Stewart,
Maxwell,	Pickett,	J. Stewart,
Manor,	Pottle,	Strickland,
Mays,	Powers,	Strother,
McCurdy,	Redding,	J. Taylor,
McDonald,	M. Reid,	Turner,
McDougald,	Reynolds,	J. H. Walton,
McGregor,	Riley,	Whitworth,
McLean,	Shewmake,	Williamson,
McMullin,	Shine,	Wilson,
Moughon,	Staten,	Young,

So the bill was lost.

The following bill was introduced, and read the first time, to wit :

Mr. Cody reported

A bill to be entitled an act to amend the patrol laws of this State.

On motion of Mr. Haynie, the House then adjourned until 3 o'clock, P M.

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### THREE O'CLOCK, P M.

The House met pursuant to adjournment.

On motion of Mr. Taylor from Wilkinson, the rules were suspended, and Mr. Taylor introduced a bill to be entitled an act for the relief of James Grenade, Tax Collector of Wilkinson county.

On motion of Mr. Lamar, leave of absence was granted to Hon. John E. Ward, on account of the sickness of Mr. Charlton, his Copartner.

On motion of Mr. Phillips, the rules were suspended, and the following bill was introduced and read the first time, to wit :

Mr. Phillips reported

A bill to be entitled an act to limit the construction hereafter to be given to the act, prescribing the mode of partitioning lands and tenements.

The House then proceeded to the regular order of the evening, and the following bills were taken up, read the second time and committed for a third reading, to wit :

A bill to be entitled an act to incorporate Chandler Lodge, No. 153, of Free and Accepted Masons, located at Jamestown, Muscogee county, Georgia.

A bill to be entitled an act for the protection in certain cases of Planters and Cotton Sellers within the State of Georgia.

A bill to be entitled an act to incorporate the Savannah and Florida Steamboat Company.

The following bill was taken up, read a second time, and referred to a special committee of three.

A bill to be entitled an act to compensate Peter Mason, of the county of Whitfield, for grading done on the Western & Atlantic Rail Road, to point out the mode of payment, and for other purposes therein mentioned.

On motion of Mr. Haynie, the rules of the House were suspended, and the House proceeded to read bills the third time, when the House took up the report of the Committee on the bill to be entitled an act to repeal an act entitled an act, more effectually to prevent frauds in elections in this State, and to detect and punish the same, approved January 27th, 1852.

Mr. Masters offered to amend, by inserting the following additional Section: "And be it further enacted, that the election laws in force in this State, prior to the passage of the above recited act, be, and the same are hereby re-enacted."

Mr. McCurdy moved to lay the bill and amendments on the table, for the balance of the session.

Upon which motion the yeas and nays were required to be recorded, and upon the call by Mr. Whitworth are: yeas 65, nays 32.

Those who voted in the affirmative are, Messrs.

Adams,	Grant,	Mays,
Alread,	W. P. Harden,	McCurdy,
Anderson,	Harrison,	McDonald,
Andrews,	Hatton,	McMillan,
Armstrong,	Hardeman,	McMullin,
Bell,	Hawkins,	Moughon,
Bostwick,	Hardison,	Paris,
Bridges,	Hamilton,	Pickett,
Brown,	Headen,	Poole,
Calloway,	Henderson,	Pottle,
Carlton,	Hendrick,	Powers,
Champion,	Holland,	Radford,
Clark,	Hudson,	Reynolds,
Benj. Cleveland,	Irwin,	Rice,
Cody,	Leverett,	N. Robinson,
Crawford,	Linn,	Shewmake,
Dawson,	Mangham,	W. R. Smith,
Eberhart,	Maxwell,	Stapleton,
Fields,	Manor,	Stephens,

Strickland,	J. H. Walton,	H. L. Williams,
Trice,	W. A. Walton,	Williford,
Turner,	Walker,	Yopp.

Those who voted in the negative are, Messrs.

Boatright,	Keith,	Shine,
Cameron,	Latham,	W. Smith,
W. C. Cleveland,	Masters,	J. Stewart
Crittenden,	McGregor,	Sweat,
Dodds,	McLean,	J. Taylor,
Durden,	Moody,	West.
Djal,	Mobley,	Whitworth,
Gartrell,	Nichols,	A. J. Williams,
Griffin,	Riley,	Wilson,
Gross,	R. A. Robinson,	Woodward,
Hays,	Rumph,	Young,

So the motion was agreed to.

The House took up the report of the Committee on the bill to be entitled an act to establish an additional election precinct in the county of Macon.

The report of the Committee was agreed to. The bill was read the third time, and upon motion of Mr. McMullin, was laid upon the table for the balance of the session.

The House went into Committee of the Whole—Mr. Stapleton in the Chair—upon the bill to be entitled an act to appropriate money to Morgan Kemp, former Sheriff of Marion county, for services rendered by him, in and about the sale of certain fractional lots of land in the county of Marion, for the State, and after some time spent therein, the Committee rose and reported the bill back to the House, without amendment.

The report of the Committee was agreed to.

On motion of Mr. Walker, the bill was recommitted.

Mr. Walker, offered the following amendment, to wit :

“For such sum as he may think right ;” which was adopted.

The report of the committee, as amended, was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to carry into effect, the last paragraph of the 8th Section of the third article of the Constitution of this State. and to secure to all persons in this State, the right to advocate, argue and defend his or her cause, before any court or tribunal, either in person or by any number of Council, Attorneys, Solicitors or Advocates, deemed expedient by any such person, or by both ; and to repeal and render null

and void, a certain rule or law therein specified, and for other purposes therein named.

Mr. Pottle moved to refer the bill to the Judiciary Committee; which motion was lost.

Mr. Pottle then moved to amend the preamble, by adding after the words, "City of Milledgeville," the words "a body of six Judges," at that time composing a majority of the Judges of the Superior Court, in lieu of "six gentlemen, &c.;" which was accepted.

Mr. Bell moved to amend the 2d Section of said bill, by adding after the word, "advocates," the words, "or next friend;" which was agreed to.

The report of the committee as amended, was agreed to. The bill was read the third time, and upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded, and are yeas 68, nays 38.

\* Those who voted in the affirmative are Messrs.

Adams,	Hardeman,	Powers.
Alread,	Hays,	M Reid,
Bell,	Hawkins,	Rice,
Bridges,	Hardison,	Rumph,
Brown,	Hamilton,	Shine,
Calloway,	Headen,	G. K. Smith,
Cameron,	Hendrick,	W. R. Smith,
Benj. Cleveland,	Hudson,	Stapleton,
W C. Cleveland,	Keith,	L. S. Stewart,
Crawford,	Latham.	J. Stewart,
Crittenden,	Leverett,	Stokes,
Dawson,	Linn,	Strickland,
Denham,	Masters,	D. W Taylor.
Durden,	Manor,	Trice,
Dial,	Mays,	West,
Eberhart,	McDonald,	Whitworth.
Fields,	McDougald,	H. L. Williams,
Gartrell,	McMillan,	A. J. Williams,
Gross,	McMullip,	Williamson,
J. Hardin,	Moughon.	Woodward,
Hayne,	Paris,	Young,
Harris,	Phillips,	Yopp.
Harrison,	Pickett.	

Those who voted in the negative are, Messrs.

Anderson,	Dubignon,	W P. Harden,
Bostwick,	Fannin,	Hatton,
Carlton,	Grant,	Henderson,
Cody,	Griffin,	Holland,

Irwin,	Nichols,	Stephens,
Jones,	Poole,	Sweat.
Lamar,	Pottle,	J. Taylor,
Mangham,	Radford,	Turner,
Maxwell,	Reynolds,	J. H. Walton,
McCurdy,	Riley,	W. A. Walton,
McGregor,	R. A. Robinson,	Walker,
McLean,	Shewmake,	Wilson,
Mobley,	Staten.	Williford,

So the bill was passed.

Mr. McDougald moved to suspend the rules, to introduce a bill which was agreed to, and Mr. McDougald reported the following bill, which was read the first time, to wit :

A bill to be entitled an act to legalize and make valid to all intents and purposes, an election held in the city of Columbus, on Saturday the seventh day of January instant, for a Mayor, twelve Aldermen, a Marshal, a Deputy Marshal, a Clerk of the Council, a Treasurer and a Sexton for said city, and for other purposes.

On motion of Mr. Mobley, leave of absence was granted to Messrs. Cody and Pottle, for a few days, on special business.

On motion of Mr. Masters's the House adjourned until tomorrow morning, half past 9 o'clock.

## SATURDAY, JANUARY 14th, 1854.

The House met pursuant to adjournment.

Mr. Pottle moved to reconsider so much of the Journal of yesterday, as relates to the bill to be entitled an act for the abolishment of imprisonment for debt. Pending the motion,

Mr. Stapleton, from the Enrolling Committee, reported as duly enrolled, the following bills, to wit :

A bill to be entitled an act to incorporate a Bank in the city of Savannah, to be called "the Mechanics Saving Bank."

A bill to be entitled an act for the relief of Benjamin H. Cameron, of the county of Troup.

On Mr. Pottle's motion for reconsideration, the yeas and nays were required to be recorded, on the call of Mr. Pottle, and are : yeas 63, nays 49.

Those who voted in the affirmative are, Messrs

Anderson,	Hardison,	R A Robinson,
Andrews,	Henderson,	N. Robinson,
Armstrong.	Hendrick,	Rumph.
Bell,	Holland,	Shewmake,
Bostwick.	Hudson,	W R. Smith,
Boatright,	Irwin,	W Smith,
Bridges,	Latham,	Staten,
Calloway,	Linn,	Stephens,
Carlton,	Mangham,	L S Stewart,
Champion,	Maxwell,	J. Stewart,
W C. Cleveland,	Manor,	Stokes,
Cody,	Mays,	Strickland,
Crawford,	McGregor,	Strother,
Dodds,	McMullin,	D. W Taylor.
Dubignon.	Nichols,	Thornton,
Grant,	Phillips,	Trice,
Gross,	Pottle,	J. H. Walton,
W. P. Harden,	Powell,	W. A. Walton,
Harris,	Radford,	H. L. Williams,
Harrison,	M. Reid,	Williamson,
Hatton,	Rice,	Williford,

Those who voted in the negative are, Messrs.

Adams,	Hawkins,	Poole,
Alread,	Hamilton,	G. R. Reid,
Cameron,	Headen,	Reynolds,
Clark.	Jones	Riley,
Benj. Cleveland,	Keith,	G. K Smith,
Dawson,	Lamar,	Stapleton,
Denham,	Leverett,	Sweat,
Durden,	Masters,	J. Taylor,
Dial,	McCurdy,	Turner,
Eberhart,	McDonald,	West,
Fields,	McDougald,	Whitworth,
Gartrell,	McLean,	A. J. Williams,
Griffin,	McMillan,	Woodward,
James Hardin,	Mobley,	Young,
Haynie,	Moughon,	Yopp,
Hardeman,	Paris,	
Hays,	Pickett,	

So the motion to reconsider was agreed to.

Mr. Phillips, from the Committee on the Lunatic Asylum, made the following report to wit :

The committee charged with the duty of looking into the

affairs of the Lunatic Asylum, its present condition, and future prospects, having performed the duties assigned them, ask leave to report :

That the books and vouchers exhibiting the financial operations of the Institution during the two last financial years, fully sustain the statement made by the Superintendent in his annual report; and recognized by the Board of Trustees as correct—whilst it is a source of gratification to know that the unfortunate inmates confined within its walls, are properly cared for, at least to an extent fully equal to the means of an imperfect classification, and abundantly supplied with wholesome and nutritious food, clothing, bedding, &c. We hazard nothing in saying that ours is the most economically managed hospital for the insane, on the continent.

The appropriation of the last Legislature has been judiciously disbursed in making necessary improvements and putting up indispensable structures, looking steadily to the final attainment of that state of completeness and perfection, originally contemplated by the State. The contracts and expenditures for these structures, exceed the appropriation by \$3,500. The period has now arrived, when it devolves upon the Legislature to consider, and determine what shall be the character of our Asylum, and what its means of usefulness. Shall the original designs of its philanthropic founders be carried out, by making it worthy to receive all the various classes of our lunatics, ranging from the highest to the lowest classes of society? or, shall it be dwarfed to its present half-way grade? If the latter should be the decision of the Legislature, and provision for the paupers and common class of pay patients, be all that is deemed necessary, then a comparatively small appropriation of fifty or fifty-five thousand dollars for the present and ensuing year, will be all that is necessary. That sum will be sufficient to enclose the grounds around the Asylum, by a suitable brick wall of proper height and thickness—the want of which, has been sensibly felt for years; erect another building, with sixty-five or seventy rooms, and secure, by purchase, the lands intervening between the river and the present domain of the Institution. This much, the most urgent necessity requires should be done. Experience has proved the utter insufficiency of the board fence, as a means of security against escape. The additional building must be erected, or patients hereafter, be only received as the present inmates may be cured, die, or escape, as every room is now occupied; and the lands should be bought, as a means of protection against the imminent dangers from malaria, in the event of their being cleared up and cultivated, as will surely be the case; as they are fertile, at least on the river. It will be the economical policy of the Superintendent, to have the brick made principally by the inmates of the Asy-

lum; and the lands recommended to be purchased, afford the best clay, and other advantages for making brick. The saving to the State, by having the brick thus made, instead of purchased, will be as four to seven—which, in a million and a quarter of brick, will be much more than the cost of the land.

But, should Georgia be satisfied? Can we, her Representatives, be satisfied, if we stop short of the most ample provision for the cure, comfort and judicious classification of all our insane? Shall our neighbors, friends, kith and kin, continue to be under the necessity of sending their charge to the north, to be cured, to die, or what is worse, to remain in perpetual exile? Surely not.

Nothing can be more erroneous, than the opinion entertained by thousands of sensible men, that lunatics are insane upon all subjects, and consequently indifferent as to their associates and companions; the reverse, however is true—they are most sensitive, not to say fastidious, on all matters of this kind; and whatever relates to different modes of life, habits, tastes, &c., affects them more sensibly, than the sane: and the physician who expects to cure the insane without having his patients wisely classified, and all unnatural and incongruous associations cut off by a careful separation of the vulgar and illiterate, from the educated and refined, will assuredly meet with disappointment. The necessary buildings and appliances for this indispensable classification, including furniture; &c., &c., would not exceed one hundred and fifty thousand dollars, but more than thirty-five or forty thousand dollars, could not be economically used in any one year. It is, however, very important to decide now upon the plan to be adopted. One additional building will have to be erected, at least, unless we decide that the Institution shall be one for pauper patients alone—in which event, the annual appropriation for support, will have to be nearly doubled, and the pay patients removed by their friends to some other institution, after the present year, to make room for our pauper insane, many of whom have applied in vain for admission, for the past three years. The receipts from pay patients, although the price charged is much lower than any where else, has contributed materially to the support of the Institution. Indeed, it is to this source of income, and the amount of provisions, of various kinds, raised on the farm, garden and lots, by the labor of the inmates, that the Institution has been so successfully sustained. May it not then be assumed as true, that it now with such limited and imperfect means of accommodation by which most, if not all, our wealthy and highly educated classes, are virtually excluded, the income from pay patients, contributes at least one-third of the means of support to the Asylum, would not the income from that source



come near relieving the State from expense, if she would at once, or as soon as practicable, put her Institution on a footing of completeness, equal to any in the country. That such would be the case, your committee confidently believe. Such has been the result wherever it has been tried, and such will most assuredly be the case in Georgia. But apart from all considerations of dollars and cents, we owe to ourselves, we owe it to humanity, to provide for our insane of all classes, and under the conviction that such is the sentiment of Georgia, your committee herewith report a bill.

The following bill, accompanying the foregoing report, was read the first time, to wit :

A bill to be entitled an act to appropriate money for effecting important improvements at the State Lunatic Asylum, and for other purposes connected with the interest of the Institution.

Mr. Haynie moved to have one hundred and fifty copies of the foregoing report and bill, printed for the use of the House ; which was agreed to.

Mr. Lamar, from the Committee on New Counties, made the following report, to wit :

The Committee on New Counties beg leave to report, that they have had under their consideration, the bill for forming a new county from portions of the counties of Jackson, Clarke, Walton and Gwinnett, and return the bill to the House, without expressing any opinion for, or against the same.

L. Q. C. LAMAR, Chairman.

Mr. Pottle moved to suspend the rules of the House, to take up the bill to be entitled an act for abolishing imprisonment for debt ; which motion was lost.

The House then proceeded with the special order of the day, which was the bill to be entitled an act for the pardon of James L. D. Register, of the county of Troup, now under sentence of death for the crime of murder.

The report of the Committee was agreed to.

On motion of Mr. Gartrell, the bill was recommitted.

On motion of Mr. Gartrell, a committee of three was appointed to compare the printed with the manuscript testimony and report the same to this House, at 3 o'clock, P. M.

The following persons constituted the said committee, to wit : Messrs. Gartrell, Young and Fannin.

On motion of Mr. Hardeman, the House adjourned until 3 o'clock this afternoon.

## THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

The House then proceeded with the unfinished business of the morning, which was the bill for the pardon of Jas. L. D. Register, of the county of Troup, under sentence of death for the crime of murder.

Mr. Gartrell, from the Special Committee, to whom was referred a comparison of the printed. with the manuscript testimony in the case of the State *vs.* James L. D. Register, made the following report, to wit:

The committee to whom was referred the manuscript and printed evidence in the case of the State *vs.* J. L. D. Register, convicted of murder, beg leave respectfully to say, that they were pleased to find no substantial difference between the same. There are, however, a few discrepancies between the two, which your committee do not think material; and they have thought proper to recite them, that they may be judged of the members of this branch of the General Assembly. They are as follows:

By the first witness, Oneal, the words "come back" are used in manuscript, and in printed evidence, the word "home."

By the second witness, McAlister, in one place in the manuscript, the words "on bed with a negro"—in printed evidence, "in bed with a negro."

By the third witness, Henry C. Cogburn, the following is in manuscript, but not in the printed evidence: "Mr. Register said—what did you and that crowd of men go to my house for the other night, when I was not at home? Dent replied, I went to see if you had come home."

By the first witness for Defendant. Preston Hardy says—"was at Register's the night Mr. Dent went to his house: there were two persons with him." The above in manuscript, but not in the printed evidence.

By the same witness, in manuscript—"Negro staid ten minutes," in printed evidence, "staid three minutes."

All of which is respectfully submitted.

Pending the discussion, the following message was received from his Excellency, the Governor, through Mr. DeGraffenreid, his Secretary:

*Mr. Speaker*—The Governor has approved and signed, the following Acts, to wit:

An act to permit Lunatics and Idiots, and such persons as may have them in charge, to pass free on the Western & Atlantic Rail Road, on their way to, and from the Lunatic Asylum.

An act to repeal that part of the 10th Section of an act en-

titled an act, for the government and management of the Western & Atlantic Rail Road,\* approved January 15th, 1852, so far as relates to the election of Superintendent of said road.

An act to incorporate the town of Dalton, in the county of Whitfield, under the name and style of the city of Dalton, and to provide for the election of a Mayor and City Councilmen, and such other officers as may be required, and confer upon them specified powers, and for other purposes, and to make permanent the location of the court house and jail in said county of Whitfield, and to amend the several acts incorporating the city of Atlanta, and the several acts heretofore passed incorporating the city of Columbus; and also, the several acts incorporating the city of Macon.

An act to appropriate money for the support of Government during the political years 1854 and 1855.

An act to reduce the fees of the several Tax Collectors hereafter to be elected for the county of Liberty, and for other purposes therein named.

An act to add a part of the land of Farish Carter, which now lies in the county of Gordon, to the county of Murray.

An act to reduce the Sheriff's bond of the Sheriffs hereafter to be elected in the county of Scriven, from the sum of ten thousand dollars, to the sum of five thousand dollars.

An act to authorize and require the Treasurer of the Poor School Fund, in the county of Muscogee, to pay, before any other claims, over to R. H. Calhoun, William H. Grave, John P. Hodge and Miss Susannah Wallis, and to each and every other teacher of poor children in said county, for the years 1851 and 1852, out the Poor School Fund thereof, the full amount of their accounts, and all arrearages due them for teaching poor children in said years, out of any funds in hand, or out of the first that may hereafter be received, and for other purposes therein named.

An act to authorize the Ordinary, or School Commissioners of Elbert county, and other counties therein named, Laurens, Walton, Whitfield, Harris, Hall, Jones, Gordon and Clarke, to pay arrearages due the teachers of poor children in said counties, for services rendered in the years 1851, 1852 and 1853.

An act for the relief of Benjamin H. Cameron, of the county of Troup.

An act to incorporate a bank in the city of Savannah, to be called the Mechanics Savings Bank; all of which acts have been deposited in the office of the Secretary of State.

I am also directed by the Governor to transmit to this branch of the General Assembly, a communication in writing, with accompanying documents.

"Upon the question, "Shall the bill for the pardon of

James L. D. Register now pass?" the yeas and nays were required to be recorded, upon the call of Mr. Fields, and are : yeas 58, nays 48.

Those who voted in the affirmative are, Messers:

Adams,	Hamilton,	Rumph,
Armstrong ,	Hendrick,	Shewmake,
Boatright,	Lamar,	G K Smith,
Bridges,	Mangham,	Stapleton,
Brown,	Masters,	Staten,
Calloway,	Mays,	Stephens,
Carlton,	McCurdy,	L. S. Stewart,
Clark,	McDonald,	J. Stewart,
W. C. Cleveland,	McMillan,	Strother,
Crawford,	McMullin,	Sweat,
Crittenden,	Phillips,	Thornton,
Dubignon,	Poole,	Trice,
Dial,	Pottle,	West,
Eberhart,	Powers.	H. L. Williams,
Gartrell,	Radford,	Williamson,
Grant,	G. R. Reid,	Woodward.
Haynie,	M. Reid,	Young.
Hatton,	Rice,	Yopp.
Hawkins,	R. A. Robinson,	
Hardison,	Rowell,	

Those who voted in the negative are, Messrs.

Alread,	Hardeman,	Pickett,
Andrews,	Hays,	Powell,
Bell,	Headen,	Reynolds,
Bostwick,	Henderson,	Riley.
Cameron,	Holland,	W. R. Smith,
Champion,	Hudson,	W. Smith,
Benj. Cleveland,	Jones	Stokes,
Cody,	Keith,	Strickland,
Denham,	Latham.	Turner,
Fannin,	Linn,	J. H. Walton,
Fields.	Maxwell,	W. A. Walton,
Gross,	Manor,	Walker,
W. P. Harden,	McGregor,	Whitworth.
James Hardin,	McLean,	A. J. Williams
Harris,	Mobley,	Wilson,
Harrison,	Nichols,	Williford,

So the bill passed under the title thereof,

The special order of the day being finished, the House proceeded to the regular order of the evening, which was the reading of bills the second time.

The following bills were taken up, read the second time, and committed for a third reading, to wit :

A bill to be entitled an act to authorize a grant to issue to W. T. Williamson, of the county of Baldwin, to lot of land No. 120, in the 2d District of the 4th Section of the lottery of 1827.

A bill to be entitled an act to incorporate the Church Wardens and Vestry of the Protestant St. John's Free Chapel, in the city of Savannah.

On motion of Mr. Cody, the rules of the House were suspended, for the purpose of taking up and reading the following communication of his Excellency, the Governor, to wit :

EXECUTIVE CHAMBER, }  
MILLEDGEVILLE, GEO., January 14th, 1854. }

*To the Senate and House of Representatives :*

In pursuance of a resolution, adopted by the General Assembly, at its present session, I appointed James P. Scriven, of Chatham, and Nelson Tift, of Baker, Commissioners on the part of the State, to attend the Legislature of Alabama, now sitting, to procure a charter from that State, authorizing the extension of the contemplated Savannah and Albany Rail Road, from the Chatahoochee to the city of Mobile. These gentlemen have executed their mission ; and the result is as creditable to their intelligence and promptitude, as it is evincive of the enterprise and fraternal feeling of our sister State.

I have the honor herewith, to transmit the report made to this Department by the Commissioners, with accompanying papers, which show the proceedings of the State of Alabama, on the subject of their mission.

The marked courtesy with which they were received, and the polite attentions to them, by the public functionaries of Alabama, are worthy of perpetual memorial. They are the offsprings of that deep, patriotic sympathy, between the members of one great republic, which is the bond of our Union, and the guaranty of our future prosperity and glory.

Of the value of the enterprise itself, it is needless to speak. I could add nothing to the forcible views presented in the report of the Commissioners.

When completed, it will not only unite Alabama and Georgia in bonds of closer intercourse, but it will constitute an important link in the great chain of communication between the Pacific and Atlantic, pouring prosperity into the lap of our seaports, and scattering rich blessings throughout the territory of South-western Georgia.

HERSCHEL V. JOHNSON.

The following bills were taken up and read the second time, and committed for a third reading, to wit :

A bill to be entitled an act to authorize the Inferior Court of Laurens county to lay an extra tax for pauper purposes.

On motion of Mr. McDougald, the following bill was taken up and read, to wit :

A bill to be entitled an act to legalize and make valid, to all intents and purposes, an election held in and for the city of Columbus on Saturday, the 7th of January instant, for a Mayor, twelve Aldermen, a Marshal, Deputy Marshal, a Clerk of the Council, a Treasurer and Sexton of said city, and for other purposes therein named.

On motion of Mr. Gartrell, the rules of the House were suspended, and the following bill was introduced and read the first time, to wit :

Mr. Hardin of Paulding reported

A bill to be entitled an act to appropriate money, to pay Larkin H. Davis, of the county of Carroll, for apprehending A. A. Hunt, who is charged with the murder of Richard Ralston, on the 11th January, 1854.

On motion of Mr. Harrison, the rules of the House were further suspended, and

Mr. Harrison reported

A bill to be entitled an act to authorize the Georgia Historical Society to raise by lottery a sum of money therein mentioned, for the benefit of the said corporation.

On motion of Mr. Strother, the House adjourned until half past 9 o'clock Monday morning.

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#### MONDAY, JANUARY 16th, 1854.

The House met pursuant to adjournment.

On motion of Mr. Cody, the rules of the House were suspended, and the following bill was taken up, and read a second time, to wit :

A bill to be entitled an act, to amend the patrol laws of this State.

Mr. Cody moved to refer the foregoing bill to a Special Committee of five ; which was agreed to.

Whereupon, the Chair appointed Messrs. Cody, Poole, Harrison, Clark and Crittenden, that committee.

On motion of Mr. Alread, the rules of the House were suspended, to allow him to introduce the following bill, which was read the first time, to wit :

A bill to be entitled an act to authorize Leonidas Socrates Lawhon, of the county of Cherokee, to plead and practice law and equity in this State, as though he were of lawful age.

On motion of Mr. McCurdy, the rules of the House were suspended, to allow him to introduce the following bill ; which was read the first time, to wit :

A bill to be entitled an act to lay out and organize a new county from parts of Campbell, Carroll, Paulding and Polk —attach the same to a Congressional and Judicial District ; provide for the location of a county site in such new county, and for other purposes.

Mr. Haynie moved that the rules be generally suspended, to permit members to report bills ; which was agreed to.

The House then proceeded with the call of the counties, and the following bills were reported, and read the first time to wit :

Mr. Haynie reported

A bill to be entitled an act to amend an act, passed on the 22d of January, 1852 so far as relates to William C. Dabbs.

Mr. Smith of Jasper, reported

A bill to be entitled an act to authorize O. Proffett of Jasper county, to practice medicine and charge and collect compensation for the same.

Mr. McDougald reported.

A bill to be entitled an Act to amend an Act passed the 27th of December, 1845, entitled an Act to incorporate the Muscogee Rail Road Company, and to punish persons for violating the provisions of the same ; also to amend an act, passed the 28th of December, 1847, entitled an act to incorporate the Muscogee Rail Road Company, and to punish persons for violating the provisions of the same, approved the 27th, of December, 1845, and to authorize said company, &c. &c., so far as to change the time and mode for the election of Directors for said company, and for other purposes, &c. &c.

Mr. Lamar, from the Committee on New Counties, made the following report, which was read, to wit :

The Special Committee on New Counties, beg leave to report, that they have had under consideration a bill to lay out and form a new county from parts of the counties of Early and Randolph. The proposed county is twenty-five miles in length, and fourteen in width, embracing within its limits, a population of from five to six hundred voters, and its taxes will probably amount to two thousand dollars. Your committee is informed by the Senators and Representatives of the two counties out of which the new county is to be formed, that there exists no opposition in any quarter, to the proposed measure. All of which is respectfully submitted.

L. Q. C. LAMAR, Chairman.

The House then proceeded to the special order of the day, which was a bill to be entitled an act to incorporate a company, to be called the Western and Atlantic Rail Road Com-

pany, and to lease and let to the said company, the Western and Atlantic Rail Road, for the term of twenty years.

Mr. Thornton moved to postpone the bill until Thursday next, (19th, instant,) and make the same the special order of the day.

Upon which motion the yeas and nays were required to be recorded, at the call of Mr. McDougald, and are : yeas, 59.  
nays 46.

Those who voted in the affirmative are Messrs.

Adams,	Hawkins,	R, A. Robinson,
Anderson,	Henderson,	G K Smith,
Armstrong,	Hudson,	W Smith,
Bell,	Lamar,	Stapleton,
Bostwick,	Latham,	Stephens.
Boatright,	Mangham,	J. Stewart,
Brown,	Maxwell,	Stokes,
Champion,	Mays,	Strother,
Benj. Cleveland.	McCurdy,	Sweat,
W. C. Cleveland.	McDonald,	J. Taylor,
Dawson,	McDougald,	Thornton,
Eberhart,	McMullin,	Trice,
Fannin,	Mobley,	Turner,
Grant,	Nichols,	J. H. Walton,
W. P. Harden,	Paris,	West,
Haynie,	Phillips.	H. L. Williams,
Harris,	Poole,	A J Williams
Harrison,	Powell,	Williford,
Harrall	Powers,	Woodward,
Hardeman,	M. Reid,	

Those who voted in the negative are Messrs.

Airead,	James Hardin,	Riley,
Andrews,	Hays,	N. Robinson,
Bridges,	Hardison,	Rowell,
Calloway,	Headen,	Rumph,
Cameron,	Jones	Shewmake,
Carlton	Linn,	W. R. Smith,
Clark,	Masters,	L. S. Stewart,
Cody,	Manor,	Strickland,
Crawford,	McComb,	W. A. Walton,
Denham,	McGregor,	Walker,
Dial,	McMillan,	Whitworth,
Fields,	Pickett,	Williamson
Fish,	Radford,	Wilson,
Gartrell,	G. R. Reid,	Young,
Gross,	Rice	Yopp.

So the motion-to postpone was agreed to.



The House went into Committee of the whole, Mr. Harrison in the Chair, on the special order of the day, which was the bill to be entitled an act to amend the act incorporating the Georgia Military Institute, and to appropriate money therefor. Pending which,

The following message was received from the Senate by Mr. Moore, their Secretary :

*Mr. Speaker*—A resolution has been agreed to by the Senate, bringing on the election of a United States Senator of the State of Georgia, on Tuesday, the 17th instant.

The Senate has also passed a bill to authorize the Inferior Courts of Lumpkin, Worth and Forsyth counties, to levy an extra tax for county purposes. Also,

A bill of the House of Representatives, authorizing the Governor to issue to Mrs. Eliza J. Martin, or her assigns, a grant for Lot No. 4. in square 44, of the city of Macon.

On motion of Mr. Harrison, the foregoing bill was taken up by sections ; and after some time spent thereon, the committee rose and reported the bill back to the House without amendment.

Mr. Carlton moved to recommit the bill ; which was lost.

The report of the committee was agreed to.

Mr. Gartrell then moved to postpone the bill, and make it the special order of the day for Tuesday, the 24th instant ; which was lost.

Mr. Phillips then moved to remit the bill to the Select Committee.

Upon which motion, Mr. Gartrell required the yeas and nays to be recorded, and are : yeas 42, nays 66.

Those who voted in the affirmative are Messrs.

Adams,	Hatton,	Moughou,
Alread,	Hawkins,	Paris
Anderson,	Headen,	Phillips,
Carlton	Irwin,	Powell,
Clark,	Jones	R. A. Robinson,
Benj. Cleveland,	Lamar,	Rowell,
Cody,	Latham,	Shine,
Crawford,	Leverett,	W. Smith,
Fannin,	Linn,	Strother
Fields,	Manor,	Sweat,
Gartrell,	McComb,	Thornton,
Grant,	McCurdy,	Turner,
Green,	McDonald,	W. A. Walton,
Harrison	McDougald,	West,

Those who voted in the negative are, Messrs.

Andrews,	Boatright,	Calloway,
Armstrong,	Bridges,	Champion,
Bell,	Brown,	W. C. Cleveland,

Crittenden,	Maxwell,	W. R. Smith,
Dawson,	Mays,	Stapleton,
Dial,	McGregor,	Staten,
Eberhart,	McLean,	Stephens,
Fish,	McMillan,	L. S. Stewart,
Griffin,	McMullin,	J. Stewart,
W. P. Harden,	Mobley,	Strickland,
James Hardin,	Nichols,	J. Taylor,
Harris,	Pickett,	Trice,
Harrall,	Poole,	J. H. Walton,
Hardeman,	Radford,	Whitworth.
Hays,	Redding,	H. L. Williams,
Hardison,	G. R. Reid,	A. J. Williams,
Henderson,	M Reid,	Williamson,
Holland,	Reynolds,	Wilson,
Hudson,	Riley,	Williford,
Keith,	N. Robinson,	Woodward,
Mangham,	Rumph,	Young,
Masters,	Shewmake,	Yopp.

So the motion to recommit was lost.

Mr. Cleveland, of Habersham, moved to lay the bill on the table for the present ; which was lost.

The bill was read the third time and lost.

On motion of Mr. McCurdy, the rules of the House were suspended, and the following bill was introduced and read the first time, to wit :

Mr. McCurdy reported

A bill to be entitled an act to lease and let the Penitentiary of the State of Georgia to Lewis Zachery, for the term of six years, and for other purposes therein named.

Mr. Clark moved to suspend the order of the House, to take up the resolution relating to the meetings of the House. There not being two-thirds of the House voting for the suspension, the Chair decided the motion lost.

Mr. Lamar rose to a point of order, to wit : That a majority alone was necessary to the suspension of order, and appealed from the decision of the Chair ; and upon the question, "Shall the decision of the Chair stand as the judgment of the House?" upon a division, the decision of the Chair was reversed.

The motion was agreed to.

Mr. Clark then moved to take up the resolution ; and upon the call of Mr. Cleveland, of Habersham, the yeas and nays were required to be recorded, and are : yeas 54; nays 48.

Those who voted in the affirmative are, Messrs.

Alread,	Andrews,	Boatright,
Anderson,	Armstrong,	Clark,

Crawford,	McLean,	W. Smith.
Eberhart,	McMillan,	Staten,
Fannin,	McMullin,	Stephens,
Fields,	Mobley,	J. Stewart,
Fish,	Nichols,	Stokes,
Gartrell,	Poole,	Strother.
James Hardin,	Radford,	Sweat,
Haynie,	Redding,	J. Taylor,
Harrison,	M. Reid,	J. H. Walton,
Hays,	Reynolds,	W. A. Walton,
Headen,	Rice,	Walker.
Irwin,	R. A. Robinson,	H. L. Williams,
Linn,	N. Robinson,	Williamson,
Masters,	Shewmake,	Williford,
Maxwell,	Rumph,	Young,
Manor,	W. R. Smith,	Yopp.

Those who voted in the negative are, Messrs.

Adams,	Hatton,	Pickett,
Bell,	Hardeman,	M. Reid,
Bridges,	Hawkins,	Riley,
Brown,	Hardison,	Rowell
Calloway,	Henderson,	Shine,
Cameron,	Hudson,	G. K. Smith,
Carlton,	Lamar,	Stapleton,
Benj. Cleveland,	Latham,	L. S. Stewart,
Cody,	Leverett,	Strickland,
Crittenden,	Mangham,	Thornton,
Dial,	Mays,	Turner,
Grant,	McCurdy,	West,
Griffin,	McGregor,	Whitworth,
Gross,	Moughon,	A. J. Williams,
W. P. Harden,	Paris,	Wilson,
Harrall,	Phillips,	Woodward,

So the motion was agreed to.

Mr. Walker moved a division of the question, and to adopt the preamble ; agreed to.

Mr. Cody moved to strike out all after the preamble.

Upon which call the yeas and nays were required to be recorded, and are : yeas 49 nays 45.

Those who voted in the affirmative are, Messrs.

Adams,	Calloway,	W. C. Cleveland,
Bell,	Cameron,	Cody,
Brown,	Carlton,	Crittenden,

Dawson,	Henderson,	Sh.ne,
Denham,	Hudson,	G. K. Smith,
Dial,	Latham,	Stapleton,
Eberhart,	Leverett,	L. S. Stewart,
Grant,	Manor,	J Stewart
Green,	McCurdy,	Strother,
Griffin.	McDonald,	J. Taylor,
Gross,	McGregor,	Turner,
Harris.	Paris,	West,
Harrall,	Phillips,	Whitworth,
Hatton,	Pickett,	Williamson,
Hardeman,	G: R. Reid,	Woodward,
Hawkins,	Riley,	
Hardison,	Rowell,	

Those who voted in the negative are, Messrs.

Alread,	Linn,	Shewmake,
Boatright,	Mangham,	W. R. Smith,
Clark,	Masters,	W Smith,
Benj. Cleveland,	McLean,	Staten,
Crawford,	McMillan,	Stephens,
Fannin.	McMullin,	Sweat,
Fields,	Mobley.	Trice,
Gartrell,	Nichols	J. H. Walton,
J. Hardin,	Poole,	W. A. Walton,
Haynie,	Radford,	Walker,
Harrison,	Redding,	H. L. Williams,
Hays,	M. Reid,	Wilson,
Headen,	Rice,	Williford,
Irwin,	R. A Robinson,	Young.
Jones,	N. Robinson,	Yopp.

So the motion was agreed to.

Mr. Latham moved to adjourn ; which motion was lost.

Mr. Hardeman then moved to lay the preamble and amendments on the table for the balance of the session ; which was agreed to.

On motion of Mr. Stapleton, the rules were suspended, and he offered the following preamble and resolution, which was adopted, to wit :

WHEREAS, in Section eighteen, of the General appropriation Bill, passed at the present session, the Governor is required to draw his warrant in favor of Asbury Hull, for eighty dollars, for double tax paid by James T. Sansem, as executor of Thomas Sansem, deceased, when it should have been eight dollars ; therefore,

*Resolved*, That the Governor be required to draw his

warrant in favor of said Asbury Hull, for eight, instead of eighty dollars, for the double tax so paid ; and, that his warrant thus drawn, shall be in full of said demand, notwithstanding the provision of the said 18th Section of the said Appropriation Bill.

On motion of Mr. Stapleton, the Clerk was directed to transmit the foregoing resolution to the Senate, immediately.

On motion of Mr. Irwin, the House adjourned until 3 o'clock, P. M.

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### THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

On motion of Mr. Crittenden the rules of the House were suspended to allow him to introduce the following bill, which was read the first time, to wit :

A bill to be entitled an act for the relief Sarah W. Mitchell, formerly Sarah W. Thweatt, of the county of Spaulding.

On motion of Mr. Hardeman, the House then proceeded to the reading of bills the third time.

The House took up the report of the committee on the bill to be entitled an act to define the liabilities of Railroad companies in this State.

The report was agreed to ; the bill was read the third time and passed under the title thereof.

Mr. Pickett moved to take up the resolution to bring on the election of United States Senator, and offered as a substitute, the resolution passed by the Senate, in words following, to wit :

*Resolved*, By the Senate and House of Representatives of the State of Georgia, in General Assembly met, that we convene in the Hall of the House of Representatives, on Tuesday next, the 17th instant, to elect a U. S. Senator of the State of Georgia, to fill the term commencing on the 4th March 1855; and in case said day should elapse without convening for said purpose, then so soon after as this resolution shall pass, and the House shall inform the Senate of their readiness to receive them."

The motion was carried ; and the foregoing resolution was adopted. And,

On motion, the clerk was directed to transmit the resolution, forthwith to the Senate.

The House took up the report of the committee on the bill to be entitled an act to add additional sections to the 13th division or the penal code of the State of Georgia and to

provide for the punishment of free white persons for aiding or assisting negroes, or free persons of color, lawfully committed, or detained in jail, to escape therefrom, and for other purposes.

The report was agreed to; the bill was read the third time and passed.

Mr. McCurdy moved to suspend the rules of the House to allow him to introduce the following resolution, to wit:

*Resolved*, That both branches of the General Assembly convene in the Representative Hall, on Tuesday, the 17th instant, and proceed to the election of a State Printer.

Mr. McDougald moved to lay the resolution on the table, for the present; which motion was agreed to.

The House took up the report of the committee, on the bill to be entitled an act to remove the precinct now at Moses Wrights' house, known as State's Rights, in the 230th district, G. M., in the county of Oglethorpe, to Woodstock in said District, and for other purposes therein named.

Mr. Calloway offered the following amendment, which was agreed to, to wit:

*"And be it further enacted*, That the election precinct known as Fairfield precinct in the county of Putnam, be, and the same is hereby removed to Dennis' Depot, on the Eatonton Railroad, in said county.

The House took up the report of the Committee on the bill to be entitled an act to define the liability of Railroad companies, in cases where passengers are killed or wounded by the negligence or carelessness of their agents or employees, and to provide a remedy for the same, and for other purposes.

The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to alter and amend the oath to be administered to voters at elections in this State.

The report of the committee was agreed to. The bill was read the third time and on the question "Shall this bill now pass?" on the call of Mr. Walton of Richmond, the yeas and nays were required to be recorded, and are: yeas 50 nays 52.

Those who voted in the affirmative are, Messrs.

Anderson,	Fannin,	Henderson,
Armstrong,	Gross.	Irwin,
Bell,	W P Harden,	Jones,
Carlton,	Haynie,	Mangham,
Clark,	Harris,	Masters,
Benj. Cleveland,	Harrison,	Maxwell,
Cody,	Harrall,	McCurdy,
Durden,	Headen,	McDougald,

McMullin,	L. S. Stewart,	A. J. Williams.
Mobley,	J. Stewart,	Williamson,
Paris,	Strickland,	Wilson,
Phillips,	Strother,	Williford,
Poole,	Thornton,	Woodward,
Reynolds.	Turner,	Young.
Shewmake,	J H Walton,	Yopp.
Stapleton,	W. A. Walton.	
Stephens,	H. L. Williams,	

Those who voted in the negative are Messrs.

Adams,	J. Harden,	M. Reid,
Alread,	Hardeman,	Rice,
Boatright,	Hays,	Riley,
Bridges,	Hudson.	R. A. Robinson,
Brown,	Latham,	N. Robinson,
Calloway,	Leverett,	Rowell,
Cameron,	Linn,	Rumph,
W. C. Cleveland,	Manor,	G. K. Smith,
Crawford,	McDonald,	W. R. Smith,
Crittenden.	McGregor,	W. Smith,
Dawson,	McLean,	Staten,
Denham,	McMillan,	Sweat,
Dial,	Moughon,	J. Taylor,
Eberhart,	Nichols,	Trice.
Fields,	Pickett,	West,
Fish,	Powell,	Whitworth,
Gartrell,	Radford,	
Griffin,	Redding,	

So the bill was lost.

The House took up the report of the committee on the bill to be entitled an act to make certain persons therein mentioned competent Jurors and witnesses, and to declare the law therein.

The report of the committee was agreed to. The bill was read the third time and passed.

On motion the rules of the House were suspended and the House took up the report of the committee, on the bill for the relief of Jesse Monroe of the county of Cherokee, and to appropriate certain monies for the benefit of certain persons therein named.

The report of the committee was agreed to. The bill was read the third time, and upon the question, "Shall this bill now pass?" Mr. Fields required the yeas and nays to be recorded; which are : yeas 41, nays 54.

Those who voted in the affirmative are Messrs.

Alread,	Hawkins,	Paris,
Bridges,	Hardison,	Phillips,
Benj. Cleveland,	Headen,	G. R. Reid,
W. C. Cleveland,	Henderson,	Rice,
Denham,	Hudson,	R. A. Robinson,
Eberhart,	Latham,	J Stewart,
Fields,	Masters	Stokes,
Gartrell.	Manor,	Strickland,
Green,	McDougald,	Trice,
Griffin,	McGregor,	West,
Gross,	McMillan,	Whitworth,
James Hardin,	McMullin,	H. L. Williams,
Haynie,	Moughon,	Young,
Hays,	Nichols	

Those who voted in the negative are Messrs.

Adams,	Harrison,	Rumph,
Anderson,	Hatton.	Shewmake,
Andrews.	Hardeman,	Shine.
Armstrong;	Holland,	W. R. Smith,
Bell,	Jones,	Wm. Smith,
Bostwick,	Linn,	Stapleton,
Brown,	Maxwell,	Staten,
Calloway,	Mays	Stephens,
Carlton,	McCurdy,	J. Taylor,
Champion,	McDonald,	Thornton,
Cody,	Pickett,	Turner,
Crawford,	Poole,	J. H. Walton,
Dawson,	Powers,	W A. Walton,
Fannin,	Redding,	Walker,
Fish,	M. Reid,	A. J. Williams,
Grant,	Reynolds,	Williamson,
W. P. Hardin,	N. Robinson,	Woodward,
Harris,	Rowell	Yopp.

So the bill was lost.

The following message was received from His Excellency the Governor, through Mr. DeGraffenreid, his Secretary:

*Mr. Speaker*—I am directed by the Governor to transmit to this branch of the General Assembly a communication in writing, with accompanying documents.



EXECUTIVE DEPARTMENT, }  
 Milledgeville, Geo., January, 16th, 1854. }

*To the Senate and*

*House of Representatives :*

On the 20th ultimo the Legislature of Alabama passed a resolution "that two persons be appointed by the Governor to act as commissioners to present to the General Assembly of Georgia a preamble and joint resolutions of the State of Alabama, respectfully asking the General Assembly of the State of Georgia to grant a charter for the extension of the North East & South West Alabama Railroad through the territory of the State of Georgia, to make connection with some of the Railroads leading to Knoxville, in the State of Tennessee."

In pursuance of this authority, the Governor of Alabama, on the 12th instant, duly appointed Joseph W. Taylor, Esq., and Robert Jemison, Jr., commissioners on the part of that State "to execute the duties imposed by the said preamble and joint resolutions."

Through Joseph W. Taylor, Esq., an authenticated copy of said preamble and resolutions and the original commission, appointing those gentlemen, have been presented to this department,—copies of which I have the honor herewith to transmit. It is believed that the Legislature of Georgia will regard with lively interest every measure for inter-State communication, having for its object the strengthening of the bonds of fraternity with an adjacent State, and calculated to develop the resources of both. The Legislature of Georgia have asked and promptly received a similar favor at the hands of Alabama. The courtesies extended to our commissioners, sent to that State on a like errand, are too recent to require recital. I can but express the hope that the spirit of Alabama will be fully reciprocated by the Legislature of Georgia.

HERSCHEL V. JOHNSON.

Mr. Phillips moved to refer the foregoing message and accompanying documents to the committee on Internal Improvements; which motion was agreed to.

On motion of Mr. Latham the rules of the House were suspended, and the following bill of the Senate was taken up and read the first time:

A bill to be entitled an act to incorporate College Temple located in Newnan, Georgia, and to confer powers on the same.

On motion of Mr. McDonald, the rules of the House were suspended, and the following bills were introduced and read the first time, to wit:

Mr. McDonald reported

A bill to be entitled an act to appropriate money to compensate Hansel R. Seward and others therein named for pursuing and arresting James Williams, who was charged with the offence of murder, and to reimburse the said Hansel R. Seward, for expenditures in having the said James Williams committed to jail.

Mr. Thornton reported

A bill to be entitled an act to appropriate five thousand dollars for the payment of the Professors of the University of Georgia, and also the sum of five thousand dollars to the Military Institute at Marietta.

Mr. Hawkins reported

A bill to be entitled an act for the relief of Margaret Kinman of Chattooga county.

Mr. McMullin reported

A bill to be entitled an act for the relief of P. L. J. May

Mr. Crawford of Cass, reported

A bill to be entitled an act to change the route of the Western & Atlantic Rail Road, at Etowah river and Altoona creek, and for other purposes connected therewith.

Mr. Phillips reported

A bill to be entitled an act to appropriate money for the purposes therein mentioned.

Mr. McDougald reported

A bill to be entitled an act to extend the North East and South West Alabama Rail Road.

Mr. McDougald offered the following resolution, which was agreed to, to wit :

*Resolved*, That Col. J. W. Taylor, a commissioner from the State of Alabama, now present, he and he is hereby invited to take a seat in the Hall of the House of Representatives, and that his colleague, Robert Jamison be entitled to the same privilege when he shall arrive, and that the Messenger be instructed to prepare seats for them.

Mr. McDougald moved to suspend the rules of the House, and the House took up the report of the committee upon the bill to be entitled an act to lay out and form a new county from parts of the counties of Early and Randolph and to organize the same, and to attach the same to the 2d Congressional district and to the South Western Judicial circuit.

Mr. Cleveland of Habersham, moved to amend by filling the blank with the name of "Gaines."

Mr. McCurdy moved to substitute the name of "Scott."

Mr. Cleveland of Habersham withdrew his amendment.

Mr. McCurdy's amendment prevailed, and the name of Scott was inserted in the blank.

Mr. West moved to amend the 1st section by inserting in lieu of the original specified boundary, the following to-wit:

"Commencing at the mouth of the Colomokee creek, on

the Chattahoochee river, in lot of land 372, in the 5th district of Early county, thence up said creek to where it crosses the east and west line between lots of land 173 and 174, thence due east on said line, between numbers 13 and 14, in said 5th district of Early, to Spring creek in 4th district, thence up Spring creek, to the north and South line dividing lots number 348 and 359, in the 4th district of Early, thence north along said parallel line, to the line at present dividing the counties of Early and Randolph, thence west on said county line, to the corner between lots of land number 60 and 61 in the 7th district of Randolph county, thence north on the line between said lots, to the corners of numbers 53 and 68, in said seventh district of Randolph county, thence west, to the corners of 68 and 93 thence north between 69 and 92 to the north line of said lots; thence west to the corners of numbers 92 and 109, thence north, to the line dividing the 7th and 8th districts of Randolph county, between the lots of land numbers 81 and 120 in said seventh district, thence west on said district line, to the Chattahoochee river, thence down said river to the beginning."

The report of the committee as amended was agreed to.—  
The bill was read third time and passed, under the title thereof.

On motion of Mr. McDougald the rules of the House were suspended, and the House took up the report of the committee, on the bill to be entitled an act to legalize and make valid to all intents and purposes an election held in and for the city of Columbus, on Saturday, the 7th of January, instant, for a Mayor, twelve Aldermen, a Marshal and Deputy Marshal, a clerk of the council, a treasurer and sexton for said city, and for other purposes therein named.

Mr. McCurdy offered the following amendment, which was agreed to :

*"And he it further enacted by the authority aforesaid, That the election held in the city of Dalton, in the county of Whitfield, on the second Monday in January, 1854, for Mayor and Councilmen, be and the same is hereby made legal and valid, and that the said Mayor and Council be as fully authorized to act as if the election had been held in accordance with the Statute incorporating the town of Dalton, and for other purposes therein named."*

Mr. Thornton offered the following amendment, which was agreed to, to wit :

*"And be it further enacted by the authority aforesaid, That from and after the passage of this act all future elections for any of the city officers named in the 1st section of this act, be held on the second Saturday in December in each and every year, under such rules and regulations as are now provided for by law,"*

The report of the committee as amended was agreed to. The bill was read the third time and passed.

Mr. Turner moved that the House do now adjourn, until half-past 9 o'clock to-morrow morning; which was lost.

On motion of Mr. Redding, the House then adjourned until 9 o'clock to-morrow morning.

## TUESDAY, JANUARY 17th, 1854.

The House met pursuant to adjournment.

Mr. Stapleton, from the Committee on Enrolment, reported as duly enrolled, the following bill, to wit :

An act to authorize the Governor to issue, or cause to be issued, to Mrs. Eliza J. Martin, or her assignees, a grant for lot No. 4, in square 44, of the city of Macon.

Mr. Gartrell moved to reconsider so much of the Journals of yesterday, as relates to the rejection of the bill, incorporating the Georgia Military Institute.

Whereupon, Mr. Gartrell called for the yeas and nays to be recorded, and they are : yeas 26, nays 61.

Those who voted in the affirmative are, Messrs.

Benj. Cleveland,	Harrison,	Rowell,
Cody,	Hardeman,	Shine,
Crittenden,	Manor,	Wm. Smith,
Gartrell,	Mays,	Stokes,
Grant,	McCurdy,	Turner,
Green,	McDonald,	W. A. Walton,
Griffin,	McDougald,	West,
Gross,	Moughon,	A. J. Williams,
Haynie,	Phillips	

Those who voted in the negative are, Messrs.

Adams,	Denham,	Holland,
Alread,	Dial,	Hudson,
Andrews,	Eberhart,	Mangham,
Armstrong,	Fish,	Masters
Bell,	Harris,	Maxwell.
Boatright,	Harrall	McGregor,
Bridges,	Hays,	McLean,
Cameron,	Hardison,	McMullin,
Champion,	Headen,	McWhorter,
W. C. Cleveland,	Henderson,	Mobley,
Dawson,	Hendrick,	Moody,

Nichols,	R A Robinson,	J. H. Walton,
Pickett,	N Robinson,	Whitworth.
Powers,	Rumph,	H. L. Williams,
Radford,	Shewmake,	Williamson,
Redding,	Staten,	Wilson.
G. R. Reid,	Stephens,	Williford,
M. Reid,	L. S. Stewart,	Woodward,
Reynolds,	Strickland,	Yopp,
Rice,	J. Taylor,	
Richardson,	Trice,	

So the motion was lost.

Mr. Walton, of Richmond, moved to reconsider so much of the Journal of yesterday, as relates to the rejection of the bill, to change the oath of voters.

Whereupon, the yeas and nays were required to be recorded, at the call of Mr. Walton, of Richmond, and are : yeas 42, nays 56.

Those who voted in the affirmative, are Messrs.

Anderson,	Harrall,	Richardson,
Armstrong,	Headen,	Shewmake,
Bell,	Irwin,	Stapleton,
Cameron.	Mangham,	Stephens,
Champion,	Masters	J. Stewart,
Clark.	Maxwell,	Strother,
Cody,	McCurdy,	Turner,
Denham,	McDonald,	J. H. Walton,
Fannin,	McDougald,	W A. Walton,
Grant	McWhorter.	H. L. Williams,
Gross,	Mobley,	A. J. Williams.
Haynie,	Phillips,	Wilson,
Harris,	Powers,	Woodward,
Harrison,	Radford,	Yopp

Those who voted in the negative are, Messrs.

Adams,	Fields,	Holland,
Alread,	Fish,	Hudson,
Andrews,	Garrell,	Keith,
Boatright,	Griffin,	Linn,
Bridges,	Hatton,	Manor,
Benj. Cleveland,	Hardeman	Mays,
W C. Cleveland,	Hays,	McGregor,
Crittenden,	Hardison,	McLean,
Dial,	Henderson,	McMillan,
Eberhart,	Hendrick,	McMullin,

Moody,	Rice,	Stokes,
Moughon,	Riley,	Strickland,
Nichols,	R A Robinson	J. Taylor,
Paris,	N. Robinson,	Thornton,
Poole,	Rowell,	Trice,
Redding,	Rumph,	West,
G. R. Reid,	W R. Smith.	Whitworth,
M. Reid,	W Smith,	Young.
Reynolds,	Staten,	

So the motion to reconsider was lost.

On motion of Mr. Hardeman, the rules of the House were suspended, and the bill to be entitled an act to endow the Southern Botanic College at Macon, was taken up, and made the special order of the day for Thursday, 26th January, 1854.

The House then proceeded to the special order of the day, which was a bill to be entitled an act to amend the several acts of the General Assembly, in regard to the election of public printer, and more particularly to prescribe the duties, liabilities and compensation of said officer, and for other purposes.

Mr. McDougald moved to take up the bill by sections; which was agreed to.

Mr. Strother moved to strike out the words following, to wit: "Within the limits of this State," and insert in lieu thereof, the words, "at the Seat of Government in this State."

Upon which amendment, the yeas and nays were required to be recorded, and are: yeas 34, and nays 67.

Those who voted in the affirmative are, Messrs

Boatright	Phillips,	Wm. Smith,
Carlton,	Powell	Strother,
Clark,	Powers.	Sweat,
W. C. Cleveland,	Radford,	Turner,
Denham,	G. R. Reid,	J H Walton,
Griffin,	M. Reid,	W. A. Walton,
Gross,	Reynolds,	Walker,
Irwin,	Riley,	A. J. Williams,
McComb;	R. A. Robinson,	Wilson,
McCurdy,	Rowell	Williford.
McWhorter,	Rumph,	
Moody,	Shewmake,	

Those who voted in the negative are, Messrs.

Alread,	Bell,	Brown,
Andrews,	Bridges,	Calloway.

Champion,	Holland,	Redding,
Benj. Cleveland,	Hudson,	Rice,
Cody.	Keith,	Richardson,
Crittenden,	Latham,	N. Robinson.
Dawson,	Leverett,	Shine,
Dial,	Linn.	G. K. Smith,
Eberhart,	Mangham,	W. R. Smith.
Fannin,	Masters	Stapleton,
Fields,	Maxwell,	Staten.
Fish,	Manor,	Stephens,
Gartrell,	Mays,	J. Stewart,
Green,	McDonald,	Stokes,
Harrall,	McLean,	Strickland,
Hardeman,	McMillan,	J. Taylor,
W. P. Harden,	McMullin,	Thornton,
Hays,	Mobley,	West,
Hawkins,	Moughon	H. L. Williams,
Hardison,	Nichols,	Williamson,
Headen	Paris,	Woodward,
Henderson,	Pickett,	
Hendrick,	Poole,	

So the motion to amend was lost.

Pending the discussion on the bill, the following message was received from the Senate, by Mr. Moore, their Secretary :

*Mr. Speaker.*—The Senate have passed the following bills to wit :

A bill to change the line between the counties of Fayette and Campbell, so as to include the residence of Natha Camp, now of the county of Fayette. in the county of Campbell. Also,

A bill to regulate the fees of Magistrates and Constable in the county of McIntosh, and to provide for the collection of the same. Also,

A bill to amend the several acts, relating to Justice Courts, so far as regards the county of Chatham, approved December 19th, 1849, so as to include the Justice Courts of the county of McIntosh. Also,

A bill to authorize the Trustees of Carrollton Academy to sell the said Academy, and to vest the proceeds thereof in the Carrollton Seminary. Also,

A bill to amend an act to provide for the education of the poor, approved 22d January, 1852, in relation to the payment of teachers. Also,

A bill to authorize certain persons therein named to practice medicine on the Eclectic and Homoeopathic System, and charge and receive compensation for the same.

Mr. Reynolds reported the following bill, as a substitute for the original bill, to wit:

*Be it enacted by the Senate and House of Representatives,* That, from and after the passage of this act, the public printing, for the years 1855 and 1856, shall be let out to the lowest bidder; and it shall be the duty of his Excellency the Governor to give notice, that he will receive sealed proposals for thirty days, and that the lowest bidder shall be entitled to the public printing: *Provided*, he shall give good and sufficient security, in a bond of ten thousand dollars, for the faithful and prompt performance of his duty, to do the printing in good style—all laws and parts of laws to the contrary notwithstanding.

Mr. Haynie moved to lay the bill and substitute upon the table, for the present; which motion was lost.

Mr. Walker moved to amend the substitute, by incorporating in it the 4th, 5th, 7th, 8th, 9th and 10th Sections of the original bill; which amendment was accepted.

The report of the committee was agreed to, and the substitute for the original bill, as amended, was read the third time and passed, under the title thereof.

The House took up the report of the committee, on the bill to be entitled an act to incorporate an Academy in the 7th District in Randolph county, and appoint Trustees for the same.

Mr. Redding moved to amend, by adding the following section, to wit:

*“And be it further enacted by the authority aforesaid, That S. W. Burney, Archibald Lary, Duncan McCowen, Travis McKinney and Rowland Redding, and their successors in office, be, and they are hereby, constituted a body corporate and politic, by the name and style of the Trustees of Union Academy, in the county of Monroe, with all the powers and privileges mentioned in this Act;”* which amendment was agreed to.

The report of the committee, as amended, was agreed to. The bill was read the third time and passed.

On motion of Mr. McDougald, the clerk was then directed to inform the Senate, that they were ready to receive them in the Representative Chamber, to proceed to the election of United States Senator.

Which duty being performed, the President and Members of the Senate attended, and proceeded to ballot for a United States Senator; and after seven ineffectual balloting, the Senate withdrew to their Chamber, and on motion, the House adjourned until half-past 9 o'clock to-morrow morning.



## WEDNESDAY, JANUARY 18th, 1854.

The House met pursuant to adjournment.

Mr. Hardeman moved to suspend the order, to take up a bill for a third reading; which motion was lost.

Mr. Clark moved to pass over the tax bill for the present, it being the special order of the day; which motion was agreed to.

The House then proceeded to the regular order of the day, which was the call of the counties.

The following bills were introduced and read the first time, to wit:

Mr. Dial reported

A bill to be entitled an act to require all persons giving in lands, to give numbers, districts and sections of the same, and for other purposes.

Mr. McComb reported

A bill to be entitled an act to authorize E. G. Doyle, of the county of Baldwin, to practice medicine on the Homœopathic System, and charge and collect for the same.

On motion of Mr. Pottle, the order was suspended, and the following bill was taken up, read a second time, and on motion of Mr. Pottle, was made the special order of the day for Saturday, the 21st January instant, to wit:

A bill to be entitled an act for the pardon of George W. Ray, Junior, of the county of Houston, now under sentence of death, for the crime of murder.

Mr. Irwin, from the Committee on Banks, made the following report, to wit:

The Committee on Banks, to whom was referred a resolution of the House, passed on the——day of December last, relating to the claims of the creditors of the Bank of Darien upon the State, ask leave to submit the following report:

The Bank of Darien chartered in 1818, had as capital stock, \$651,050—of which, the State held \$325,000, and individuals \$326,050. Prior to 1842, the Bank redeemed and paid 231,855 of the individual stock; thus leaving always afterwards the capital, \$419,195—of which, the State held \$325,000, and individuals \$94,195.

By the charter, stockholders were bound for the redemption of the notes or bills of the Bank, in proportion to their stock. The Bank failed, and as early as 1840, judgments were obtained against it, in virtue of power reserved in the charter. The Legislature, in December, 1841, repealed the charter, and directed the Central Bank to wind up the affairs. In the repealing law, there was a provision, that if any of the stockholders refuse to allow the act to go into operation, the Governor should take legal steps, and have a Receiver in Chancery appointed. Stockholders and credi-

tors did protest; and yet, the Governor, against their protest and will, took the whole assets, and placed them, early in 1842, in the Central Bank.

The Central Bank immediately appointed John R. Anderson, Agent, to attend to the assets, and placed them in his hands. Throughout 1842 and 1843, the creditors received no account, payment, or satisfaction whatever.

The Legislature, by joint resolution, assented to December, 1843, ordered an investigation into the affairs of the Bank, and of the Agent's accounts. That investigation was made, and a report thereon was made, 30th May, 1844.

The dismissal of Mr. Anderson followed that report; but the Central Bank continued to hold the assets of the Bank of Darien.

The creditors, up to November, 1845, having received no payment or satisfaction whatever, two judgment creditors, the Planters and State Banks, asked payment from the State. The Legislature acknowledged the liability of the State as a stockholder, to the extent of its proportion of stock; and, further, that the liability was increased, by the State's taking all the assets. But as the affairs of the Bank were then unsettled, and the whole liability of the State not ascertained, it was resolved that the Governor should bring the affair to a close.

The memorials of said two Banks, and any other claims, were ordered to be filed; and the Executive was requested to communicate to the Legislature the probable amount to be provided, to meet the liabilities of the State to the bill holders and judgment creditors of the Bank of Darien.— Notice was directed to be given to all persons or corporations, holding notes of the Darien Bank, or judgments, founded on the possession of notes, or bills, or checks of said Bank.

At the session of 1847, J. S. Thomas, Esq., Director of the Central Bank, reported on the creditors and the condition of the assets. He said that all the good assets of the Bank then remaining amounted to \$7,319 23.

The Legislature again admitted the State's liability to the creditor. By joint resolution to 18th December, 1847, it was ordered that the sum of \$7,252 30, the nett balance in hand, after paying expenses, should be paid by the Central Bank to the judgment creditors of the Bank of Darien, according to the priority of the same; and that the remaining good assets should be delivered to them in like manner, on account of their demands. A further order was given to the Director of the Central Bank, to report to the then next Legislature, "the names and classes of all creditors of the Bank of Darien, who, in the opinion of said Director, were *bona fide* creditors."

In virtue of the said resolution of December, 1847, the

Director of the Central Bank, in the year 1848, paid John G. Winter, the oldest judgment creditor, (on his judgments obtained in Magistrates Courts,) the sum of \$10,069 cash, \$4,414 60 in assets in kind, in satisfaction of principal, interest and costs.

On the 30th of November, 1849, D. C. Campbell, Esq., Director of the Central Bank, reported the names and classes of their creditors and of the judgment creditors.—He said “no evidence has been ascertained, to throw any suspicion of this class of creditors—all are regarded as *bona fide*.”

The committee annex to this report, the names, and amount, and classes of creditors, who were reported *bona fide* creditors by Mr. Campbell. The Legislature, upon the coming in of that report, passed an act, (22d February, 1850,) directing the creditors of the Central Bank to inquire into the outstanding claims against the Bank of Darien, and to ascertain and report on what terms they could be *compromised, compounded*, or settled..

In 1850, the Director, of the Central Bank paid John G. Winter, in full of another, the oldest judgment; the sum of \$1,027 17-100ths, principal and interest; and, also, paid the Planters and State Banks, the next oldest judgment creditors against the Bank of Darien, of equal date, ratably to be divided, \$1,408 74 cash, and \$1,312 90 in assets in kind, on account of their judgments.

In November, 1851, the Director of the Central Bank, reported that he was unable to ascertain on what terms the creditors would compromise, compound or settle. At the session of 1851, 1852, both Houses passed resolutions:

1st. That measures should at once be adopted, to settle, in a manner honorable to the State, and just to the creditors of the Bank of Darien, the claims held against said Bank.

2d. That Commissioners should be appointed, and all claims against the State, by those who held bills on the Bank of Darien, in judgments or other evidences of debt against said Bank, shall be referred to the award of such Commissioners, reserving the right of appeal to the State, or the creditors, and pledging the faith of the State to pay the award, or verdict.

Although these resolutions were passed by both Houses, they were never carried to the Governor, for his signature, and these were of no avail. The creditors were compelled again to wait:

Since the beginning of 1842, and up to this time, the whole amount collected by the Central Bank, in current funds, from the assets of the Bank of Darien, is \$35,365 57—of which, there has been paid to the creditors, as aforesaid, the sum of \$12,504 97 The rest has been charged

for expenses in collecting the assets. All other collections have been in Darien Bank notes.

The last report from the Central Bank shows the only remaining assets of the Bank of Darien, to be 6,400 acres of land in Mississippi, then unsold.

The committee find that, since the whole affairs of the Central Bank were turned over to the Treasurer,, the Treasurer has received from the sales of these lands and duly entered, the following sums :

7th March, 1853,	-	-	-	\$,318 03
1st August, 1853,	-	-	-	1,680 00

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\$2,998 03

This sum of \$2,998 03 is now payable to the Planters and State Banks. The committee understand that, as the resolution of 1847 was directory to the Director of the Central Bank, the Treasurer doubted his power to pay the same.—They have no doubt the money should be so paid, and they offer a joint resolution to meet the case, which they recommend to be passed.

The committee have thus presented the facts bearing on the case of the creditors of the Bank. They felt that they could not answer the resolution of the House, without this review.—When the committee see that the claims have been subjected to proper scrutiny—when they reflect that the State has always acknowledged its liabilities as a share holder in the Bank of Darien, (and that liability they think is to the extent of seventy-seven cents on the dollar,)—that, in 1847, the State, by solemn legislation, ordered all the assets to be paid to the judgment creditors, and actually paid the oldest judgment, principal and interest—that near two hundred thousand dollars of the assets were taken to redeem circulation, for which the State was responsible to so great an extent—that the assets have been neglected—that these assets were taken by the State by strong hand, against the protest of stockholders and creditors, and that these creditors have been delayed for near fourteen years—they cannot but express the opinion, that all who have been reported *bona fide* claimants, are entitled to a speedy and just answer from the Legislature.

The committee has considered two plans for settlement. One plan to pass a law, appropriating a sufficient sum to pay the principal of each *bona fide* claim, reported on by the Director of the Central Bank—the other plan, to adopt the view presented by both Houses of the last General Assembly, with provision by law, for raising now the necessary amounts to pay the award or verdict to be rendered.

They report in favor of the latter plan, and ask leave to report herewith, a bill for the purpose of finally closing and

settling these claims, which bill they recommend to be passed into a law.

I. T. IRWIN, Jr.,  
Chairman of Committee on Banks.

LIST CLAIMS.

Judgements.	Date of Judg.	Principal.
Planter's Bank, December, 1840,		\$28,395 00
Bank of Georgia, Dec., 1840,		12,764 93
Bank of Augusta, Dec. 1842,		13,602 00
Ins. & Trust Co., July, 1841,		4,117 41
M. Pendergrast, April, 1842,		327 54
W. Robertson, March, 1844,		1,666 52
Bank of Milledgeville, Sept. 1843,		3,062 45
Mechanics Bank, Augusta, Mar. 1848,		13,001 39
		<hr/>
		\$76,437 24
Less paid Planter's and State Banks,		2,721 64
		<hr/>
Principal sum due judgment and creditors,		\$73,715 50

CERTIFICATES OF DEPOSITS AND PROTESTED  
DRAFTS.

Chapman, Ross & Co.,	\$1,200 00
Insurance & Banking Co., Augusta	3,550 00
D. B. Nichols,	965 00
W. B. Johnson & Bro.,	200 00
Stephen Jones,	100 00
Wilson Bird,	100 00
Bank of Hamburg.	120 00
Thos. Metcalf,	3,080 00
Wright, Bull & Co.,	8,751 70
	<hr/>
	\$18,066 70
	<hr/>
	\$91,782 30

BILL CREDITORS.

E. D. Powell,	-	-	-	\$75 00
Wilson Bird,	-	-	-	5 00
C. H. Clark,	-	-	-	100 00
Henry Rogers,	-	-	-	20 00
Luke Turner,	-	-	-	125 00
Marcus Tripler,	-	-	-	10 00
H. P. Kirkpatrick,	-	-	-	15 00
Fits Herbert Herd,	-	-	-	220 00
M. & W Cumming,	-	-	-	65 00
W. J. Lawton,	-	-	-	45 00

BILL CREDITORS—*Continued.*

W. Walls, Executor,	-	-	1,125 00
“ “	-	-	5 00
Wm. Smith,	-	-	50 00
B. F. Hardeman,	-	-	80 00
N. W. Crawford,	-	-	5 00
John Roper,	-	-	20 00
Merchant's Bank, Macon,	-	-	30 00
B. K. Hamburg,	-	-	120 00
Ira Stanley,	-	-	75 00
E. H. Baxter,	-	-	10 00
Andrew Park,	-	-	120 00
J. L. Harrisaty, for McLendon,	-	-	50 00
Wm. Haynes,	-	-	30 00
J. C. Porter,	-	-	145 00
L. J. Dupree,	-	-	110 00
Isaac Simons,	-	-	40 00
Robert Birdsong,	-	-	40 00
J. D. Thompson,	-	-	175 00
James D. Willis,	-	-	10 00
A. Ward,	-	-	20 00
Aaron Adkins,	-	-	20 00
H. J. Osborn,	-	-	15 00
M. Long,*	-	-	5 00
W. Smith, Treasurer,	-	-	58 00
Thomas Hart,	-	-	20 00
John Neal,	-	-	30 00
J. H. Arnold,	-	-	20 00
J. H. Russell,	-	-	5 00
H. L. French,	-	-	35 00
J. Craig,	-	-	100 00
J. B. Nicholson,	-	-	100 00
John J. Smith,	-	-	25 00
Ira E. Smith,	-	-	40 00
A. Darden, Executor,	-	-	25 00
G. W. Ray,	-	-	20 00
F. Henkle,	-	-	735 00
J. G. Winter,	-	-	1,445 00
T. S. Metcalf,	-	-	40 00
			<hr/>
			\$5,670 00
Account Bank of Hawkinsville,			525 00
			<hr/>
			\$6,195 00
Credits of deposits above,	-	-	18,066 70
Judgments,	-	-	73,715 60
			<hr/>
			\$97,977 30

Total report by Mr. Campbell <i>bona fide</i> ,	97,977 30
Since Mr. Campbell's report, other	
claims have been made, as will ap-	
pear by the Central Bank books, and	
by the Senate report, made by Mr.	
Bethune, in December, 1851. -	2,160 00

Total *bona fide* claims and subsequent  
claims, - - - \$100,137 30

When the aforesaid mentioned fund, now in the Treasury, shall be paid to the Planters and State Banks, as recommended in the report, it will leave the principal, exclusive of interest, of all the claims, at ninety-seven thousand one hundred and thirty-nine dollars and twenty-seven cents.

Mr. Irwin, also, reported

A bill to be entitled an act to appoint Commissioners to settle the claims of the creditors of the Bank of Darien upon the State of Georgia, and to provide for raising the money which may be required to pay such claims, by a sale of State bonds.

Which accompanied his report; and, also, the following joint resolution, to-wit:

*Resolved*, by the Senate and House of Representatives of the State of Georgia, in General Assembly met, that the Treasurer of the State do pay to the Planter's Bank of the State of Georgia, and the Bank of the State of Georgia, the oldest outstanding judgment creditors against the Bank of Darien, or their attorney, on account of their judgments, rateably to be divided, the proceeds of the sales of lands in Mississippi, belonging to the Darien Bank assets.

On motion of Mr. Irwin, one hundred and fifty copies of the foregoing report from the Committee on Banks, and the accompanying bill, were ordered to be printed for the use of the House.

On motion of Mr. McDougald, the Clerk was directed to inform the Senate that the House was ready to receive them in the Representative Hall, to proceed with the election of United States Senator; which duty being performed, the President and members of the Senate attended, and the General Assembly proceeded with the election of United States Senator, and after five unsuccessful ballotings, Mr. Green Senator from Pike, moved that the General Assembly take a recess until 10 o'clock, Monday morning next.

Upon which motion, Mr. Dickson, Senator from Talbot, required the yeas and nays to be recorded, which are: yeas 69, nays 56.

Those who voted in the affirmative are, Messrs.

Adams,  
Andrews,

Boatright  
Bridges,

W. C. Cleveland,  
Clements,

Crawford,	Hudson,	M. Reid.
Crittenden,	Jones,	Rice.
Denham,	Keith,	Richardson,
Durden,	Lamar	R. A. Robinson,
Dial,	Latham.	N. Robinson,
Eberhart,	Linn,	Rowell,
Fields,	Mangham,	Rumph,
Fish,	Masters.	Shine,
Gartrell,	Manor,	G. K. Smith,
Green.	Mays,	W. R. Smith,
Griffin,	McDonald,	W. Smith,
Haynie,	McDougald,	J. Stewart,
Harrison.	McLean,	Stokes,
Hatton,	McMillan,	Strickland,
Hays,	Moughon,	J. Taylor.
Hawkins,	Nichols.	D. W. Taylor,
Hardison,	Phillips,	Trice,
Headen	Pickett,	West.
Henderson,	Poole,	Whitworth.
Hendrick,	Redding,	H. L. Williams,
Holland,	G. R. Reid.	Young,

Those who voted in the negative are Messrs.

Alread,	Harris,	Stapleton,
Anderson,	Harrall,	Staten,
Armstrong,	Hardeman,	Stephens,
Bell,	Irwin,	L S Stewart.
Bostwick,	Maxwell,	Strother,
Brown,	McCurdy,	Sweat,
Calloway,	McGregor	Thornton,
Cameron.	McMullin,	Turner,
Carlton,	McWhorter,	W. A. Walton,
Champion,	Mobley,	J. H. Walton,
Clark,	Moody.	Walker,
Benj. Cleveland,	Paris,	A. J. Williams,
Cody,	Pottle,	Williamson.
Dawson,	Powell	Wilson
Dubignon,	Powers,	Williford,
Fannin,	Radford,	Woodward,
Grant	Reynolds,	Yopp.
Gross.	Riley,	
W P. Harden,	Shewmake,	

So the motion to take a recess prevailed.

The Senate then withdrew to their chamber, and on a motion of Mr. Masters, the House then adjourned until 3 o'clock, P. M.



## THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. Haynie moved to dispense with the regular order generally ; which was agreed to.

Mr. Gartrell offered the following resolution, which was read, to-wit :

*Resolved*, That the counties be called on Saturday next for the last time in this branch of the General Assembly during the present session, and that no more new matter be introduced without the courtesy of the members of this House.

Mr. Pottle reported

A bill to be entitled an act to incorporate the Warrenton Male and Female Academy, to appoint Trustees for the same, and to repeal former acts relating thereto.

Mr. Trice offered the following resolution, which was read as follows :

*Resolved*, By the Senate and House of Representatives in General Assembly met, that the Auditing Committee be and they are hereby required not to audit the account of any member of either branch of the General Assembly for any time he may have been absent from his seat in the Legislature, since the recess, unless it shall be made to appear to the satisfaction of said committee that said absence was by leave of the House to which said member belonged, for sickness either of himself or some member of his family, and that the Secretary of the Senate and Clerk of the House of Representatives each furnish said committee with a list of said absentees.

Mr. Phillips moved to postpone the Tax Bill, which was the special order of the day, until to-morrow, and make the same the special order for that day ; which motion was agreed to.

On motion of Mr. Phillips, leave of absence was granted to the Finance Committee for the balance of the day.

Mr. McDougald reported

A bill to be entitled an act to prevent the firing of any lands, woods or marshes, anywhere within the county of Thomas.

On motion of Mr. McDougald, the rules of the House were further suspended, and the following bill was taken up, read a second time and referred to the Committee on Agriculture and Internal Improvement, to-wit :

A bill to be entitled an act to extend the North East and South West Alabama Rail Road.

On motion of Mr. Pottle, the rules of the House were further suspended, and the following bill was read the second time, and ordered to be committed for a third reading, to-wit :

A bill to be entitled an act to alter and change the names of certain persons therein stated, and for other purposes therein named.

Mr Ridley reported

A bill to be entitled an act to prescribe the manner of perfecting service of *scire facias* to revive dormant judgements obtained in Justices courts.

The following bills were taken up, and read the second time and referred to the committee on Judiciary, to wit:

A bill to be entitled an act in relation to the examination of parties, witnesses and all other persons in courts of law and equity, and for other purposes therein named.

A bill to be entitled an act to allow parties in all Courts at law or in equity to use their adversaries and copartners as witnesses, and for other purposes therein named.

A bill to be entitled an act to define the lien of certain judgements obtained on the appeal.

The following bill was taken up and read the second time and referred to the committee on new counties, to wit:

A bill to be entitled an act to lay out and form a new county out of the counties of Clinch, Ware, Telfair and Irwin and to organize the same.

On motion of Mr. Stapleton, the following bill was taken up, read the second time, and referred to the committee on Finance, to wit:

A bill to be entitled an act to authorize the Governor to draw his warrant upon the treasury for fifty-seven dollars and seventy-seven cents, in favor of George Davis, being the amount overpaid by him for taxes to the State.

Mr. Cleveland of Crawford offered the following resolution, which was read, to wit:

*Resolved*, That the Clerk of the House of Representatives, be required to make known to the House the number of Assistant clerks in his employ, and the names of said clerks.

The following bill was taken up, read a second time and committed for a third reading, to wit:

A bill to be entitled an act to authorize the Governor to have all the unsurveyed lands in the county of Appling surveyed and sold, and the proceeds, after paying for the surveying of the same, applied to poor school purposes.

The following message was received from the Senate, by Mr. Moore, their Secretary:

*Mr Speaker*—A resolution has been agreed to by the Senate authorizing the Governor to transmit to the county of Troup two copies of Cobb's Analysis and Forms, and two copies of the acts of 1851 and 1852, for a new district created in said county, in which they ask the concurrence of the House

The following bills was taken up and read a second time and committed for a third reading:

A bill to be entitled an act to incorporate Calhoun academy in the county of Gordon, and to appoint trustees for the same.

A bill to be entitled an act to incorporate Andrew Female College in Cuthbert.

A bill to be entitled an act to incorporate the christian church of Augusta, in the county of Richmond.

A bill to be entitled an act providing for the removal of free persons of color, and for other purposes.

A bill to be entitled an act to change the Militia system of the State of Georgia.

A bill to be entitled an act to grant certain privileges to Volunteer corps that served in the late war with Mexico.

A bill to be entitled an act to amend the several laws now of force to protect religious societies in the exercise of their religious duties.

A bill to be entitled an act to alter and regulate the fees of the Ordinaries of this State.

A bill to be entitled an act to incorporate the Monticello and Griffin Railroad company, and for other purposes therein named.

A bill to be entitled an act to incorporate Franklin academy, in the county of Burke, and to appoint trustees for the same, and for ether purposes therein mentioned.

A bill to be entitled an act for the keeping in repair the public roads in Burke county.

A bill to be entitled an act to incorporate Franklin Bridge company.

Mr. Shine reported

A bill to be entitled an act to alter the times of holding the Superior Courts of Worth county.

The following bills were taken up read a second time and committed for a third reading, to wit:

A bill to be entitled an act to repeal an act of 1852, as to drawing Grand and Petit Jurors of Clarke county, &c.

A bill to be entitled an act to incorporate Summerville Lodge, No. 109, of free and accepted Masons, of the county of Chattooga.

A bill to be entitled an act to authorize Francis Ponsell an infirm and cripple man of the county of Glynn, as an itinerant trader, to vend any goods, wares, or merchandize within the 1st Congressional District, without obtaining license for the same.

A bill to be entitled an act to authorize the Ordinary of Heard county to pay Laura A. Albright, teacher of poor children in said county. in the year 1852.

A bill to be entitled an act to wind up the affairs of the Central Bank, and for other purposes, was taken up, read a second time, and on motion of Mr. Shewmake, referred to the Committee on Banks.

The following bill was taken up and read a second time and referred to the committee on Finance, to wit :

A bill to be entitled an act to appropriate money for the purposes therein designated.

On motion of Mr. Cleveland of Habersham the order was suspended, and the House took up the report of the committee on the bill to be entitled an act to compel the clerks of the Superior and Inferior courts of Appling county, to keep their offices at Holmesville, the county site.

The report of the committee was agreed to. The bill was read the third time and passed.

On motion of Mr. Pottle, the following bills were taken up, read a second time and referred to the Judiciary committee, to wit :

A bill to be entitled an act to alter and amend section 43d of the Judiciary act of 1799, so far as relates to the summoning of Grand Jurors.

A bill to be entitled an act to provide a new oath in lieu of the one now in force under the act entitled an act to admit Grand Jurors to give evidence, approved December 10th, 1812.

A bill to be entitled an act to authorize the Ordinary of Upson county to pay over to certain teachers of poor children the amount of their several claims on said county, for the year 1852.

A bill to be entitled an act to appropriate money for the completion of Cooper's Gap Road across the Blue Ridge, in the counties of Lumpkin and Union, to appoint commissioners for the same, and for other purposes therein named.

The following bill was taken up and read the second time and ordered to be engrossed for a third reading, to wit :

A bill to be entitled an act to authorize John B. Chastain of the county of Union to plead and practice law.

The following bills were taken up, read the second time, and ordered to be committed for a third reading, to wit :

A bill to be entitled an act to endow the Mechanics' Society of the city of Macon.

A bill to be entitled an act to incorporate the town of Montezuma, in the county of Macon, and to appoint commissioners for the same.

A bill to be entitled an act to authorize all physicians within the State of Georgia, having received a diploma from any Medical College within the United States, to practice physic and charge for the same without license.

The following bill was taken up and read a second time, and on motion of Mr. Cleveland of Habersham, was referred to the Judiciary committee, to wit :

A bill to be entitled an act to alter and amend an act entitled an act to authorize and empower executors and administrators to make titles to land in certain cases, approved

February 15th, 1799, and for other purposes therein contained.

The following bill was taken up, read the second time, and on motion of Mr. McDougald, was referred to the Judiciary committee, to wit:

A bill to be entitled an act to change and simplify the practice and pleadings in the courts of this State, and for other purposes therein named.

The following bill was taken up, read the second time and on motion of Mr. Pottle, was referred to the Judiciary committee, to wit:

A bill to be entitled an act to alter and amend the consent rule in actions of ejectment, as now used in this State.

The following bills were taken up, read a second time and committed for a third reading, to wit:

A bill to be entitled an act to reduce the taxes imposed upon persons and property of this State, by an act entitled an act to levy and collect a tax for each of the political years 1852 and 1853 and thereafter, until repealed, approved January 9th, 1852, and also by an act entitled an act supplementary to said above recited act, approved January 21st, 1852, one third, and to exempt from taxation the amount of each tax payer's indebtedness for any property he may have bought and to which he has no legal title.

A bill to be entitled an act to change the 2d Section of the 10th Division of the penal code of this State.

A bill to be entitled an act to incorporate the Baptist Church in the town of Elijay in the county of Gilmer; Town Creek Church, Talking Rock Church, Ebenezer, Macedonia, Mountain Town, Pleasant Hill, New Hope, Zion Hill, Sugar Creek, Lebanon, Union, Mount Moriah, Bethel, Mount Zion and China Log, in the county of Gilmer, and to appoint Trustees for the same.

The following message was received from the Senate, through Mr. Moore, their Secretary.

*Mr. Speaker*—Resolutions have been agreed to by the Senate, recommending to the President of the United States, for appointment in the army, Leonidas McIntosh and James B. McIntosh, in which the concurrence of the House is asked.

On motion of Mr. McMillan, the rules were suspended, and the bill to be entitled an act for the relief of John M. White, of the county of Jackson, and to appropriate to him a sum of money therein specified, was taken up, read the second time, and referred to the committee on Finance.

On motion of Mr. Armstrong, the rules of the House were suspended, and the following bill was taken up, read a second time, and made the special order of the day, for Wednesday, 25th of January; instant, to wit:

A bill to be entitled an act for the pardon of John D. Ma-

lone, otherwise called John D. Hall. of the county of Greene: now confined in the Penitentiary for life, for the crime of murder.

The following bill was taken up, read a second time, and on motion of Mr. Pottle, was referred to the Judiciary committee, to wit :

A bill to be entitled an act to alter, amend and explain section 4th of an act entitled an act for the prevention of frauds and perjuries, of force in this State.

The following bills were taken up, read a second time and committed for a third reading, to wit :

A bill to be entitled an act to add that part of the 1st district of Habersham county, which lies in said county, to the county of Lumpkin.

A bill to be entitled an act to alter and amend so much of the 11th section of the 3rd article of the constitution of the State of Georgia as is embraced in the following paragraph to wit : "But no person shall be twice elected Sheriff within any term of four years."

A bill to be entitled an act to remove the election precinct in the 442d district, G. M., of Appling county.

A bill to be entitled an act for the relief of the securities of Richard Bassett, Tax Collector of Bibb county, for the year 1849.

A bill to be entitled an act to amend the 2d section of an act to authorize the construction of the magnetic telegraph, and providing for the protection of the same, approved December 29th, 1847.

A bill to be entitled an act to amend an act to give painters who may paint houses, in the counties of Baldwin and Bibb, a lien upon such houses and premises, equal dignity with the lien of Master Masons and master carpenters, given by the several laws now of force in said counties, approved January 17th 1852, so as to make the same general.

Mr. Cleveland of Habersham moved to adjourn until half-past 9 o'clock to-morrow morning.

Upon which motion, Mr. Trice required the yeas and nays to be recorded, and are : yeas 53, nays 18.

Those who voted in the affirmative are, Messrs.

Adams,	Clements,	W. P. Harden
Andrews,	Durden,	Harris,
Armstrong,	Dial,	Harrall
Bell	Eberhart	Hays,
Bridges,	Fields,	Hardison,
Cameron,	Gartrell,	Headen,
Carlton,	Green,	Latham,
Benj. Cleveland,	Griffin,	Mangham,

Masters,	Paris,	W. Smith,
Maxwell,	Pickett,	Stapleton,
Mays,	Pottle,	Stephens,
McDonald,	Radford,	Turner,
McDougald,	Richardson,	J. H. Walton,
McGregor,	Riley,	Whitworth,
McLean	R. A Robinson,	H. L. Williams,
McMullin,	N. Robinson,	Wilson
McWhorter	Rumph,	Woodward,
Moody.	Shine,	

Those who voted in the negative are, Messrs.

Crittenden,	Nichols,	Strickland,
Fish,	G. R. Reid	Strother,
Hatton,	M. Reid,	D. W Taylor
Henderson,	Shewmake,	Trice,
Manor,	Staten,	Walker,
Mobley,	J. Stewart,	Yopp.

So the motion to adjourn prevailed.

#### THURSDAY, JANUARY 19th, 1854.

The House met pursuant to adjournment.

On motion the rules of the House were suspended, and the following bills were introduced and read the first time, to wit :

Mr. Thornton reported

A bill to be entitled an act to indemnify and compensate certain persons therein named, on account of expenditures made and services rendered by them in certain litigation, growing out of disputed boundary question, between this State and the State of Alabama.

Mr. Strother reported

A bill to be entitled an act to compensate the Petit Jurors of Lincoln county.

Mr. Smith of DeKalb, reported

A bill to be entitled an act to amend an act to alter and amend the several Judiciary acts now in force in this State, so far as relates to the Justices Courts, approved December 14th, 1811.

Mr. Redding reported

A bill to be entitled an act to compel the several Rail Road Companies in this State, not heretofore exempt by law, to give in and pay a tax for county purposes, in the several

counties through which said Roads pass, and for other purposes.

Mr. Rumph offered the following resolution, which was read, to wit:

**WHEREAS:** There is no provision by law, regulating the number of assistant clerks to be allowed to serve as the legal subordinates as appointees, by the principal clerk elect, to serve in this branch of the General Assembly, and whereas, the Legislature is necessarily attended with a very large expense to the State, and whereas, economy is highly recommendable in all such cases, we, the Representatives of the people, with an eye single to the interest of our State, and enlightened constituency.

*Resolved,* That the clerk of the House of Representatives be allowed to employ as many as fifteen assistants, and no more at any one time, without a consent of a majority of the members present, at any time he may deem the services of a greater number necessary, and make the same known.

The House went into Committee of the Whole, Mr Garrett in the chair, upon the bill to be entitled an act to repeal an act passed 9th of January, 1852, entitled an act to levy and collect a tax for each of the political years 1852 and 1853, and thereafter till repealed, and to repeal an act supplementary to said act, approved 21st January 1852, and to revive and continue in force an act passed 22d February, 1850, entitled an act to levy and collect a tax for each of the political years 1850 and 1851, and thereafter; for which Mr. Phillips offered the following bill as a substitute, to wit:

A bill to be entitled an act to continue in force an act entitled an act to levy and collect a tax for each of the political years of 1852 and 1853, and thereafter until repealed, approved January 9th 1852; and to revive and continue in force an act entitled an act supplementary to an act entitled an act, to levy and collect a tax for the political years 1852 and 1853, approved January 21st, 1852.

Pending which, the following message was received from the Senate, by Mr. Moore, their Secretary:

*Mr. Speaker*—The Senate has passed the following bill, to wit:

A bill to alter and amend an act entitled an act to compel persons taking up runaway slaves, to deliver them up to the jailor, and for other purposes, assented to 22d February, 1850. Also,

A bill to add certain lots of land therein named, to the county of Sumter. Also,

A bill to amend and declare the time, intent and meaning of an act, passed during the present session of General Assembly, entitled an act to lay out and organize a new county from the counties of Franklin and Elbert, to provide for the completion of the Grand and Petit Jurors, at the next



ensuing terms of the Superior and Inferior Courts of the counties of Franklin and Elbert, and to authorize Executors, Administrators and Guardians, residing in the county of Dougherty, who make their returns to the Ordinary of the county of Baker, or of whom said Ordinary has jurisdiction, to make their returns and transact their business in relation to their several estates within the Ordinary of Dougherty county. Also,

A bill to change the line between the counties of Cass, Polk, and Paulding, and to add part of the counties of Polk and Paulding, to the county of Cass. Also,

A bill to amend the 32d Section, of the Judiciary laws of this State, relative to filing affidavits of illegality, and trial of claims. Also,

A bill to amend the act relative to Ordinaries. Also,

A bill to charter the Savannah and Branchville Rail Road.

On motion leave of absence was granted to Messrs. Hamilton and Dawson.

On motion of Mr. McDougald, the committee rose and reported progress, and asked leave to sit again; which was agreed to.

On motion of Mr. Hardeman, the House adjourned until 3 o'clock, P. M.

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### THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

The House went again into Committee of the Whole, upon the unfinished business of the morning session, and after some time spent thereon.

On motion of Mr. Phillips, the committee rose and reported the bill back to the House, as amended.

Mr. Phillips moved to amend the 1st Section, by adding the words, to wit: except such sections and alterations as may hereafter be made," after the words "until repealed;" which was agreed to.

Mr. Pottle offered the following amendment, to wit:

*"Provided, That each and every tax payer may at his or her discretion, deduct from the assessed value of his taxable property, the amount of his debts due to persons resident within this State on the 1st day of March in each and every year; which indebtedness shall be returned to the receiver under oath, and returned in the digest by said receiver."*

Mr. Pottle moved its adoption by the House. whereupon Mr. McDougald required the yeas and nays to be recorded, which are: yeas 54, nays 49.

Those who voted in the affirmative are, Messrs.

Bell,	Linn,	Richardson.
Bridges,	Mangham,	Riley,
Brown,	Masters,	N. Robinson,
Clements	Maxwell,	Rowell
Crawford,	Manor,	G. K. Smith,
Denham.	Mays,	Stapleton,
Dial,	McDougald	Staten,
Fannin.	McLean,	L. S. Stewart,
Fish,	McMillan,	J Stewart
Gartrell.	Mobley,	Stokes,
Grant,	Paris,	Strother,
Griffin,	Pickett,	D. W Taylor,
Gross,	Pottle,	J. H. Walton,
Hays,	Powell.	J. Taylor,
Hendrick,	Radford,	H. L. Williams,
Holland,	Redding,	A. J. Williams,
Hudson,	G R Reid	Young,
Leverett,	M. Reid,	Yopp.

Those who voted in the negative are, Messrs.

Alread.	Headen,	Shewmake,
Anderson,	Henderson,	Shine,
Bostwick,	Irwin,	W. R. Smith,
Boatright,	Jones,	W Smith,
Callo'way.	Lamar	Stephens,
Carlton,	McCurdy,	Strickland,
Clark,	McGregor,	Sweat,
Benj. Cleveland,	McMullin,	Turner,
W. C. Cleveland,	Mc Whorter	W A. Walton,
Cody,	Moody.	West.
Durden,	Moughon,	Whitworth,
Fields,	Nichols,	Williamson,
Harris,	Phillips,	Wilson,
Harrison,	Poole,	Williford,
Harrall,	Reynolds.	Woodward,
Hatton,	Rice,	
Hardeman	R. A Robinson,	

So the motion to adopt, was agreed to.

On motion of Mr. Haynie, the House adjourned until to-morrow morning, 9 o'clock.

## FRIDAY, JANUARY 20th, 1854.

The House met pursuant to adjournment.

Mr Irwin moved to reconsider so much of the Journals of yesterday, as relates to the amendment of Mr. Pottle to the substitute offered by Mr. Phillips, for the tax bill.

Upon which motion, Mr. Irwin required the yeas and nays to be recorded, which are : yeas 65, nays 51.

Those who voted in the affirmative are, Messrs.

Alderson,	Hardeman,	R A Robinson
Andrews,	Hays.	N. Robinson,
Bostwick,	Henderson	Rowell
Boatright,	Irwin,	Rumph,
Calloway,	Jones.	Shewmake,
Carlton,	Lamar,	Shine,
Clark,	Latham,	W. R. Smith,
W. C. Cleveland,	Linn,	W. Smith,
Clements	McComb,	Stephens,
Cody,	McCurdy,	Strickland,
Crittenden,	McDonald,	Strother,
Dodds,	McDougald,	Sweat,
Eberhart,	McGregor,	D. W. Taylor
Fish,	McMullin,	Trice,
Green,	McWhorter	W A Walton
Griffin,	Moody,	Walker,
W. P. Harden,	Moughon,	H. L. Williams,
J. Hardin,	Nichols,	Williamson,
Haynie	Phillips,	Wilson,
Harrison,	Poole,	Williford,
Harrall,	Redding,	Woodward,
Hatton,	Reynolds,	

Those who voted in the negative are, Messrs.

Adams,	Gartrell	Maxwell,
Alread,	Grant,	Manor,
Armstrong,	Gross,	McLean,
Bell,	Harris,	McMillan,
Bridges,	Headen,	Mobley,
Brown,	Hendrick	Paris,
Cameron,	Holland,	Pickett,
Benj. Cleveland,	Hudson,	Pottle,
Denham,	Keith,	Powell,
Dial,	Leverett,	Radford,
Fannin.	Mangham,	G. R. Reid,
Fields,	Masters,	M. Reid,

Rice,	Staten,	West,
Richardson,	J. Stewart,	Whitworth,
Riley,	Stokes,	A. J. Williams.
G. K. Smith	Turner,	Young,
Stapleton,	J. H. Walton,	Yopp.

So the motion to reconsider prevailed.

On motion of Mr. Crittenden, leave of absence was granted to Mr. Griffin, after to-morrow, on special business.

On motion of Mr. Gross, leave of absence was granted to Mr. Powers, on special business.

The House then proceeded to the unfinished business of yesterday, which was the bill to levy and collect a tax for the political years 1854 and 1855.

Mr. Pottle moved to amend the reconsidered amendment to the tax bill, by striking out all that part of said amendment coming after the words "first day of March in each and every year;" which was agreed to.

Mr. Pottle then moved the adoption of the amendment amended; which motion was lost.

Mr. McDougald moved to amend the substitute with the following proviso, to wit: "Provided, each tax payer shall be allowed to deduct from the aggregate of his taxable property the amount of his or her indebtedness, for property bought, and to which said tax payer may not have title, or true possession thereof."

Mr. McDougald moved the adoption of the foregoing amendment.

Whereupon, Mr. Cleveland, of Habersham, required the yeas and nays to be recorded, which are: yeas 64, nays 42

Those who voted in the affirmative are Messrs.

Anderson,	Harrall,	McMillan,
Armstrong,	Hatton,	McMullin,
Carlton,	Hardeman,	McWhorter,
Clark,	Hawkins,	Moughon.
W. C. Cleveland,	Irwin,	Nichols,
Clements	Jones,	Paris,
Cody,	Lamar,	Phillips,
Crawford,	Latham.	Pottle,
Denham,	Linn,	Radford,
Dial,	Masters,	Redding.
Eberhart,	Maxwell,	G. R. Reid,
Gartrell,	Mays,	M Reid,
Green,	McComb,	R. A. Robinson,
Hayme,	McCurdy,	N. Robinson,
Harris,	McDonald,	Reynolds,
Harrison,	McDougald,	Rowell

Rumpn,	Strickland,	H. L. Williams,
Shewmake,	Strother,	Williamson,
Shine,	Sweat.	Wilson,
W Smith,	D. W. Taylor.	Woodward,
Stapleton,	Trice,	
Stephens,	W. A. Walton,	

Those who voted in the negative are, Messrs.

Adams,	J. Hardin,	Richardson,
Alread,	Headen,	Riley,
Andrews	Henderson,	G. K. Smith,
Bostwick,	Hudson,	W. R. Smith,
Boatright,	Keih,	Staten.
Bridges,	Leverett,	J. Stewart,
Calloway,	Mangham,	Stokes
Cameron,	McLean,	Turner,
Benj. Cleveland,	Mobley,	J. H. Walton,
Fields,	Moody,	Walker,
Fish,	Pickett.	Whitworth,
Grant,	Poole,	Williford,
Gross,	Powell	Young,
W P. Harden,	Rice,	Yopp.

So the motion to adopt prevailed.

Pending which, the following message was received from the Senate, by Mr Moore, their Secretary :

*Mr. Speaker*—The Senate have passed the following bills, to wit :

A bill to change the name of Mary Frances Tisdal, of the county of Putnam, to that of Mary Frances Kolb, to legitimize the same, and for other purposes therein mentioned.—  
Also,

A bill in relation to executors, administrators and guardians, for the better protection of the estates of deceased persons and orphans. Also,

A bill to incorporate a company under the name and style of the Savannah, Rabun Gap and Dahlonega Rail Road Company. Also,

A bill to lay out and organize a new county from the counties of Baker and Early. Also,

A bill to incorporate the Chattahoochee Ridge Rail Road Company.

The Senate has also agreed to a resolution to correct an error in the grant to Lot No. 3, in the 4th District of Appling county, in which they ask the concurrence of the House of Representatives.

The business of the House was resumed, and Mr. McDougald offered the following amendment, to wit :

*"And be it further enacted,* That there shall be imposed, levied and collected, upon all Rail Road stock, or United States Stock, or Bank Stock of any Bank chartered by this State, or any State in the United States, a tax of fifty cents on each and every one hundred dollars of said stock ;" which amendment was adopted.

Mr. Mobley offered the following, as an amendment to Mr. McDougald's amendment, to wit : " And that the Bank agencies of foreign Banks, in this State, be required to make return on the first of November of each year, of the entire amount of their circulation during the past twelve months, and that their tax, at the fixed per centage, be assessed upon the aggregate amount returned ;" which was agreed to.— Pending which,

The following message was received from the Senate by Mr. Moore, their Secretary :

*Mr. Speaker*—The bill of the House of Representatives for the building of a Rail Road from the town of Athens to, or near, the town of Clayton, in Rabun county, has been passed by the Senate, with amendments, in which they ask the concurrence of the House.

Mr. Stapleton, from the Committee on Enrolment, reported as duly enrolled, a bill to be entitled an act to lay out and organize a new county from the counties of Gilmer and Union.

Upon the question of adopting the amendment of Mr. McDougald, as amended by Mr. Mobley, the yeas and nays were required to be recorded, upon the call of Mr. Harde-  
man, and are : yeas 88, nays 15.

Those who voted in the affirmative are, Messrs

Adams,	Dial,	Hudson,
Alread,	Eberhart,	Keith,
Andrews,	Fields,	Latham,
Armstrong.	Gartrell,	Leverett,
Bell,	Grant,	Mangham,
Bostwick,	Green	Masters,
Boatright,	Griffin,	Maxwell,
Brown,	Gross,	Manor,
Calloway,	W P Harden,	Mays,
Cameron,	Haynie,	McCurdy,
Clark.	Harris,	McDonald,
Benj. Cleveland,	Hatton,	McDougald,
Clements,	Hays,	McGregor,
Cody,	Hawkins,	McLean,
Crawford,	Headen,	McMillan,
Denham,	Henderson,	McMullin,
Durden,	Holland,	McWhorter,

Mobley,	Rice,	Strother,
Moody	Richardson,	Sweat,
Moughon,	Riley,	Trice,
Nichols,	N. Robinson,	Turner,
Paris,	Rumph,	West,
Phillips,	G. K. Smith,	Whitworth,
Pickett,	W. Smith,	H. L. Williams,
Poole,	Stapleton,	Williamson,
Powell,	Staten,	Williford,
Redding,	Stephens,	Woodward,
G, R. Reid,	J. Stewart,	Yopp,
M. Reid,	Stokes,	
Reynolds,	Strickland,	

Those who voted in the negative are, Messrs.

Dodds,	Jones	J. H. Walton,
Fannin,	Lamar,	W. A. Walton,
Harrison,	Pottle	Walker
Hardeman,	Radford,	A. J. Williams.
Irwin,	Rowell	Wilson

So the amendment, as amended, was adopted.

Mr. McDougald offered the following amendment, to wit:

*"And be it further enacted,* That there shall be enforced, levied and collected, upon all stock in any Insurance Company chartered by this State, or any other State of these United States, a tax of one dollar on each one hundred dollars thereof, and upon all stock in any chartered Steamboat or Navigation Company, chartered by this State, or any other State, there shall be levied, enforced and collected, a tax of fifty cents on each one hundred dollars of said stock;" which motion was agreed to.

Mr. McDougald offered the following amendment, to wit:

*"And be it further enacted,* That there shall be imposed, levied and collected, upon the owner or possessor of each two horse Omnibus, a tax of ten dollars, and on each four horse Omnibus a tax of twenty-five dollars; on each two horse Stage coach, a tax of ten dollars, and upon each four horse Stage coach, a tax of twenty dollars."

Upon the motion of the adoption of the foregoing amendment, Mr. Irwin required the yeas and nays to be recorded, which are: yeas 61, nays 38.

Those who voted in the affirmative are, Messrs.

Adams,	Cameron,	Denham,
Bell,	W C. Cleveland,	Dodds,
Boatright,	Crawford,	Durden,

Dial,	Mays,	Richardson,
Fannin,	McCurdy,	Riley.
Fields.	McDonald,	Rumph,
Gartrell,	McDougald,	W. Smith,
Grant,	McGregor,	Stapleton,
Green	McLean,	Staten,
Griffin,	McMillan,	Stephens,
Gross,	McWhorter,	J. Stewart,
Harrel,	Mobley,	Sweat,
Headen,	Moody	Trice,
Henderson,	Paris,	Turner,
Hudson,	Pickett,	J. H. Walton,
Keith,	Poole,	Whitworth.
Leverett,	Pottle,	A. J. Williams
Mangham,	Powell,	Williamson,
Masters,	Radford,	Young.
Maxwell,	G. R. Reid,	
Manor,	Rice,	

Those who voted in the negative are, Messrs.

Alread,	Hays,	Shewmake,
Andrews,	Hawkins,	G K Smith,
Armstrong ,	Irwin,	W R. Smith,
Bostwick,	Jones	Stokes,
Carlton,	Latham.	Strickland,
Clark,	McMullin,	Strother,
Benj. Cleveland,	Moughon	J. Taylor
Cody,	Nichols,	W. A. Walton,
W. P. Harden,	Phillips,	Walker,
Haynie,	Redding,	H. L. Williams,
Harris,	M. Reid,	Wilson,
Harrison,	N Robinson	Woodward.
Hardeman,	Rowell,	

So the amendment was adopted:

Mr. Phillips moved the previous question; the motion was sustained, and the previous question was then ordered to be put.

Upon the question of adopting the substitute as amended, for the original tax bill, the yeas and nays were required to be recorded, upon the call of Mr. Fields, and are : yeas 22, nays 85.

Those who voted in the affirmative are Messrs.

Anderson,	Eberhart,	Green,
Durden,	Grant,	Harrall,



Hays,	Redding,	J. Stewart,
Latham,	M. Reid,	D. W. Taylor,
Mangham,	Richardson,	Whitworth,
Maxwell,	Riley,	H. L. Williams,
McCurdy,	W. Smith,	
Mobley,	Stapleton,	

Those who voted in the negative are Messrs.

Adams,	Hardeman,	Reynolds,
Alread,	Headen,	Rice
Armstrong,	Henderson,	N. Robinson,
Bell,	Holland,	Rowell,
Bostwick,	Hudson,	Rumph,
Boatright,	Irwin,	Shewmake,
Bridges,	Jones	G K Smith,
Cameron,	Keith,	Staten
Carlton	Leverett,	Stokes,
Clark,	Linn,	Strickland,
Benj. Cleveland.	Masters,	Strother,
W. C. Cleveland.	Manor,	Sweat,
Clements	Mays,	J. Taylor,
Cody,	McDougald,	Thornton,
Crawford,	McLean,	Trice,
Crittenden,	McMullin,	Turner,
Denham,	McWhorter.	J. H. Walton,
Dodds	Moody,	W. A. Walton,
Dial,	Moughon,	Walker,
Fannin,	Nichols,	West,
Fields,	Paris,	A J Williams
Gartrell,	Phillips.	Williamson
Griffin,	Pickett,	Wilson,
Gross,	Poole,	Williford,
W. P. Harden,	Pottle,	Woodward,
Harris,	Powell,	Young,
Harrison,	Radford,	Yopp.
Hatton,	M. Reid,	

So the motion was lost.

On motion of Mr. McCurdy, leave of absence was granted to Mr. Mays, for a few days, on special business.

On motion of Mr. Clark, the House adjourned until 3 o'clock, P. M.

## THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

On motion, leave of absence was granted to Mr. Haynie for a few days, on account of the illness of his family.

The House then proceeded with the unfinished business of the morning, which was the consideration of the bill to be entitled an act to levy and collect a tax for the political years 1854 and 1855.

Mr. Walker offered the following bill, in lieu of the original tax bill, to wit :

A bill to be entitled an act, to levy and collect a tax for each of the political years 1854 and 1855, and thereafter, until repealed ; and revive and continue in force, such parts of the general, or special tax laws heretofore passed, as may be consistent with the provisions of this act.

Mr. Harrison moved that the substitute be taken up by sections ; which was agreed to.

Mr. Mobley offered to amend the 1st Section, by striking out all after the enacting clause of the 1st Section, and inserting in lieu thereof, the following :

“That hereafter, the term ‘real estate,’ as used in this act, shall include land itself, all buildings or other articles created upon, or affixed to the same ; all mines, mineral fossils and quarries, in and under the same, except mines belonging to the State : and the tax on all real estate in this State, shall be eight cents on every hundred dollars’ worth in value.”

Upon the motion to adopt the foregoing amendment, the yeas and nays were required to be recorded, and are : yeas 27: nays 72.

Those who voted in the affirmative are, Messrs.

Adams,	Maxwell,	Riley,
Anderson,	McMillan,	Shewmake,
Andrews,	Mobley,	G. K. Smith,
Cody,	Paris,	W. R. Smith,
W P Harden,	Powell,	W. Smith.
Harrison,	Radford,	Staten,
Henderson,	M. Reid,	J. Stewart,
Irwin,	Reynolds,	Strickland,
Mangham,	Richardson,	J. H. Walton,

Those who voted in the negative are, Messrs.

Alread,	Boatright,	Clark,
Armstrong,	Calloway,	Benj. Cleveland,
Bell,	Cameron,	W. C. Cleveland,

Clements	Holland,	Redding,
Crawford,	Hudson,	G. R. Reid,
Crittenden,	Keith,	Rice,
Denham,	Latham,	Rowell
Dodds,	Leverett,	Rumph,
Dubignon,	Masters,	Stapleton,
Durden,	Manor,	Stokes,
Dial,	McCurdy,	J. Taylor,
Eberhart,	McDonald,	W. A. Walton,
Fannin,	McDougald,	Walker.
Fields,	McGregor,	West,
Fish,	McLean,	Whitworth,
Gartrell.	McMullin,	H. L. Williams,
Gross,	McWhorter	A. J. Williams,
James Hardin,	Moody,	Williamson,
Hatton,	Moughon,	Williford,
Hardeman,	Nichols,	Woodward,
Hays,	Phillips,	Young,
Hawkins,	Pickett,	Yopp.
Headen,	Poole,	

So the motion to adopt the amendment, was lost.

Mr. Fannin moved to postpone the bill for the present ; which motion was lost.

Mr. Pickett offered the following amendment, to wit :  
 "1st, 2d and third quality tide swamp land ; 1st, 2d and 3d  
 quailty sea island ; 1st, 2nd and 3d quality pine land ; 1st,  
 2d and 3d quality oak and hickory land ; 4th quality moun-  
 tain land ; 1st and 2d quality river and valley land.

"SEC. 2. *Be it further enacted by the authority aforesaid,*  
 That the per acre tax shall be as follows : 1st quality tide  
 swamp land, 4 cents per acre ; 2d quality do. 3 cents per  
 acre ; 3d quality do. 2 cents per acre ; 1st quality sea island  
 land, 4 cents per acre ; 2d quality do. 3 cents per acre : 3d  
 quality do. 2 cents per acre ; 1st quality river and valley  
 land, 2 cents per acre ; 2d quality do. 1 1-4 cents per acre ;  
 1st quality pine land, 1 1-2 cents per acre : 2d quality do. 1  
 cent per acre ; 3d quality do. 6 mills per acre ; 1st quality  
 oak and hickory land, 1 1-2 cents per acre ; 2d quality do. 1  
 cent per acre ; 3d quality do. 6 mills per acre ; 4th quality  
 mountain land, 2 mills per acre."

Upon the question of adopting the amendment, the yeas  
 and nays were required to be recorded, upon the call of Mr.  
 Pickett, and are : yeas 29, nays 71.

Those who voted in the affirmative are, Messrs.

Adams,	Bridges,	Crawford,
Alread,	Clements,	Denham,

Durden,	Mangham,	Rice,
Fields,	Manor	Riley,
Gartrell,	McGregor,	Thornton,
Hawkins,	McMillan,	Turner,
Headen,	Paris,	West,
Henderson,	Phillips	Whitworth.
Holland,	Pickett,	Young.
Latham,	M. Reid,	

Those who voted in the negative are, Messrs.

Anderson,	Hatton,	G R. Reid,
Armstrong,	Hardeman,	Reynolds,
Bell,	Hays,	Richardson,
Bostwick,	Hudson,	N Robinson,
Brown,	Irwin,	Rowell,
Calloway,	Jones,	Rumph,
Cameron,	Keith,	Shewmake,
Carlton,	Leverett,	G. K. Smith,
Champion,	Masters,	W. R. Smith,
Benj. Cleveland,	Maxwell.	Stapleton,
W. C. Cleveland,	McCurdy,	Staten,
Cody,	McDonald,	Stephens,
Dodds,	McDougald.	Strother.
Dial,	McLean,	Sweat,
Eberhart,	McMullin,	J. Taylor,
Fannin,	McWhorter,	Trice,
Fish,	Mobley,	J. H. Walton,
Grant,	Moody,	W. A. Walton,
Green,	Moughon,	Walker
Gross,	Nichols,	A. J. Williams,
W. P. Harden,	Poole,	Williamson,
James Hardin,	Powell,	Williford,
Harris,	Radford,	Woodward,
Harrison,	Redding,	Yopp,

So the motion to adopt was lost.

Mr. Pickett moved to strike out "6" and "3" on the 3d quality of oak and hickory and pine land.

Upon the question of agreeing to Mr. Pickett's motion to strike out, the yeas and nays were required to be recorded, and are : yeays 45, nays 60.

Those who voted in the affirmative are, Messrs.

Adams,	Benj. Cleveland,	Crittenden,
Alread,	Clements,	Eberhart,
Champion,	Crawford,	Fannin,

Gartrell,	Mangham,	Redding,
James Hardin,	Masters.	M. Reid.
Harrall,	Manor,	Rice.
Hays,	McCurdy,	Riley,
Hawkins,	McGregor	G. K. Smith,
Headen	McMillan,	Turner,
Henderson,	Mobley,	West.
Holland,	Nichols.	Whitworth.
Hudson,	Paris,	H. L. Williams,
Keith,	Phillips,	Young,
Leverett,	Pickett,	Yopp.
Linn,	Poole,	

Those who voted in the negative are Messrs:

Anderson,	Hardeman,	Shewmake,
Andrews,	Irwin,	W R. Smith,
Armstrong,	Jones,	W Smith,
Bell,	Latham.	Stapleton,
Bostwick,	Maxwell,	Staten,
Boatright	McDonald,	Stephens,
Bridges,	McDougald,	J. Stewart,
Brown,	McLean,	Strickland,
Carlton,	McMullin,	Strother,
W C. Cleveland,	McWhorter,	Sweat,
Dodds,	Moody.	J. Taylor.
Dubignon,	Moughon,	Thornton,
Durden,	Pottle,	W A. Walton,
Dial,	Powell	J. H. Walton,
Fields,	Radford,	Walker,
Gross.	G. R. Reid.	A. J. Williams,
W. P. Harden,	Richardson,	Williamson.
Harris,	N. Robinson,	Williford,
Harrison.	Rowell,	Woodward,
Hatton,	Rumph,	

So the motion was lost.

Mr. Lamar, from the Committee on New Counties, made the following report to wit :

The Committee on New Counties beg leave to report, that they have had under consideration, a bill to lay out and form a new county out of the counties of Clinch, Ware, Telfair and Irwin, and to organize the same. The number of voters in said county will be about four hundred and one—amount of taxes, twelve hundred and sixty dollars. The portion taken from Irwin, is in some places thirty miles distant from the court house; that portion taken from Telfair, is in some places thirty-four miles distant from the court house

of that county. All of which is respectfully submitted.

L. Q. C. LAMAR, Chairman.

Mr. Hardeman moved that the House adjourn until 9 o'clock to-morrow morning.

Upon which motion, Mr. Harrison required the yeas and nays to be recorded, which are : yeas 58, nays 51.

Those who voted in the affirmative are Messrs.

Adams,	Harris,	Pickett,
Alread,	Harrall,	Pottle,
Anderson,	Hardeman,	Powell,
Bell,	Hays,	Rice,
Bostwick,	Hawkins,	Riley,
Bridges,	Holland,	Stapleton,
Brown,	Irwin,	Staten,
Calloway,	Jones	Stephens,
Cameron,	Lamar,	Stokes,
Carlton	Latham,	Strickland,
Champion,	Leverett,	Strother
Clements.	Linn,	Thornton,
Crawford,	McDonald,	Turner,
Dodds,	McDougald,	J. H. Walton,
Dubignon,	McGregor,	West,
Durden,	McMillan,	Whitworth.
Dial,	Moughon,	A. J. Williams,
Grant,	Paris	Wilson,
Green,	Phillips,	Woodward,

Those who voted in the negative are, Messrs.

Andrews,	Headen,	Richardson,
Armstrong,	Henderson,	N. Robinson,
Boatright,	Hudson,	Rowell,
Clark,	Mangham,	Rumley,
Benj. Cleveland,	Masters,	Shewmake,
W. C. Cleveland,	Maxwell,	G. K. Smith,
Crittenden,	Manor,	W. R. Smith,
Denham,	McCurdy,	W. Smith,
Eberhart,	McLean,	J. Stewart,
Fannin,	McMullin,	J. Taylor,
Fields,	McWhorter	Trice,
Fish,	Mobley,	W. A. Walton,
Gartrell,	Moody,	Walker,
Gross,	Nichols,	H. L. Williams,
W. P. Harden,	Poole,	Williamson,
Harrison	G. R. Reid,	Young,
Hatton,	M Reid,	Yopp.

So the motion prevailed, and the House adjourned until 9 o'clock to-morrow morning.

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## SATURDAY, JANUARY 21st, 1854.

The House met pursuant to adjournment.

Mr. McDougald moved to reconsider so much of the Journals of yesterday as related to the rejection of the substitute, offered by Mr. Phillips, in lieu of the original tax bill; pending which the following message was received from the Senate, by Mr. Moore, their Secretary:

*Mr. Speaker*—The Senate has passed the following bills of the House of Representatives, to wit:

A bill to legalize and make valid to all intents and purposes an election in and for the city of Columbus, on Saturday, the 7th of January instant, for Mayor, twelve Aldermen, a Marshal, Deputy Marshal, a Clerk of Council, Treasurer and Sexton of said city, and for other purposes. Also,

A bill for the relief of William Taylor of the county of Coweta, with the amendments, in which they ask the concurrence of the House of Representatives.

The House then resumed the regular business, and upon the question to reconsider, the yeas and nays were required to be recorded, upon the call of Mr. McDougald, and are: yeas 66, nays 42.

Those who voted in the affirmative are Messrs.

Anderson,	Hatton.	Poole,
Andrews.	Hardeman,	Radford
Bostwick,	Hays,	Redding,
Cameron,	Hawkins,	M. Reid,
Carlton,	Hendrick,	Reynolds,
Clark	Irwin,	Richardson
W. C. Cleveland,	Jones,	Riley,
Cody.	Leverett,	N. Robinson,
Crittenden,	Mangham	Rumph,
Dodds,	Maxwell,	Shewmake,
Eberhart,	McCurdy,	Shine.
Fish,	McDougald,	G. K. Smith,
Gartrell.	McMillan,	W. R. Smith,
Grant,	Mobley	Wm. Smith,
W. P. Hardin,	Moughon,	Stapleton,
James Hardin,	Nichols	J. Stewart,
Harrison,	Paris,	Stokes,
Harrall	Phillips,	Strickland,

Strother	Turner,	H. L. Williams,
Sweat,	J. H. Walton.	Williamson,
J. Taylor,	W. A. Walton,	Woodward,
Trice,	Whitworth,	Yopp.

Those who voted in the negative are Messrs.

Adams,	Gross,	McWhorter,
Alread,	Harris,	Moody.
Armstrong;	Headen,	Pickett,
Bell,	Henderson,	Poole,
Boatright	Holland,	Powell
Bridges,	Hudson,	G. R. Reid,
Benj. Cleveland,	Keith,	Rice,
Clements,	Latham,	Staten,
Crawford,	Linn,	Stephens,
Denham,	Masters	Walkei,
Durden,	Manor,	West,
Dial,	McGregor,	A. J. Williams,
Fannin,	McLean,	Williford,
Fields,	McMillan,	Young,

So the motion to reconsider, prevailed.

Mr. McCurdy moved to postpone the consideration of the tax bill, until Thursday next, the 25th instant.

On the question of postponement, the yeas and nays were required to be recorded, at the call of Mr. Fields, and are : yeas 49, nays 62.

Those who voted in the affirmative are, Messrs.

Bell,	Maxwell,	Staten,
Bostwick.	McCurdy,	Stephens,
Boatright,	McDonald,	J. Stewart,
Carlton,	McDongald,	Stokes,
Champion,	McMillan,	Strickland,
Benj. Cleveland,	McWhorter,	Sweat,
Dubignon.	Nichols,	J. Taylor,
Dial,	Paris,	Trice.
Fannin,	Phillips,	Turner,
Grant.	Powell,	JH Walton,
W. P. Harden,	Radford,	West,
Harrall,	G. R. Reid,	Williamson,
Hatton,	Reynolds,	Williford,
Hendrick,	Riley,	Woodward,
Irwin,	G. K. Smith,	Yopp.
Latham,	W Smith,	
Mangham,	Stapleton,	



Those who voted in the negative are Messrs.

Adams,	Gartrell,	Moody,
Alread,	Gross,	Moughon,
Anderson,	J Harden,	Pickett,
Andrews,	Harris,	Poole,
Armstrong,	Harrison,	Pottle,
Bridges,	Hardeman,	Redding,
Brown,	Hays,	M. Reid,
Calloway,	Hawkins,	Rice,
Cameron,	Headen,	Richardson,
Clark,	Henderson,	Rumph,
W. C. Cleveland,	Holland,	Shewmake,
Clements,	Hudson.	Shine,
Cody,	Jones,	W R. Smith,
Crawford,	Leverett,	Strother,
Crittenden,	Linn,	W. A. Walton.
Denham,	Masters,	Walker,
Dodds,	Manor,	Whitworth,
Durden,	McGregor,	H. L. Williams,
Eberhart,	McLean,	A. J. Williams.
Fields,	McMullin,	Young.
Fish,	Mobley,	

So the motion was lost.

Mr. Mobley moved to reconsider so much of the Journals of yesterday, as relates to the rejection of the amendment offered by himself, to the substitute offered by Mr. Walker, for the tax bill. Said amendment proposes to strike out all after the enacting clause of the 1st Section, and insert the following, to wit :

“That hereafter, the term real estate, as used in this act, shall include land itself, all buildings or other articles erected upon or affixed to the same, all mines, mineral fossils and quarries, in and under the same, except mines belonging to the State. And the tax on all real estate in this State, shall be eight cents on every hundred dollars worth in value ;” which motion to reconsider, was agreed to.

Mr. Pickett moved to reconsider so much of the Journals of yesterday, as relates to his amendment to Mr. Walker’s substitute ; which reads as follows : “1st, 2d and 3d quality Tide Swamp Land ; 1st 2d and 3d, quality Sea Island Land ; 1st, 2d and 3d quality Pine Land ; 1st 2d and 3d quality Oak and Hickory Land ; 4th quality Mountain Land ; 1st and 2d quality River and Valley Land.

SEC. 2. “*Be it further enacted by the authority aforesaid,* That the per acre tax shall be as follows 1st quality Tide Swamp Land, 4 cents per acre ; 2d quality, 3 cents per acre

3d quality, 2 cents per acre. 1st quality Sea Island Land, 4 cents per acre; 2d quality, 3 cents per acre, 3d quality, 2 cents per acre. 1st quality River and Valley Land, 2 cents per acre; 2d quality, 1 1-4 cents per acre. 1st quality Pine Land, 1 1-2 cents per acre; 2d quality, 1 cent per acre; 3d quality, 6 mills per acre. 1st quality, Oak and Hickory Land, 1 1-2 cents per acre; 2d quality, 1 cent per acre; 3d quality, 6 mills per acre. 4th quality Mountain Land, 2 mills per acre;" which motion to reconsider, was agreed to.

Mr. Walker offered the following resolution, which was read, to wit:

*Resolved*, That from and after to-day, the Clerk be required to mark the absentees at the calling of the roll, and that the 9th rule of the House be enforced.

Mr. Redding moved to take up the resolution; which was agreed to.

On motion of Mr. Trice, the resolution was adopted.

The House then proceeded with the unfinished business of yesterday, which was the consideration of the bill to be entitled an act, to levy and collect a tax for the political years of 1854 and 1855, and for other purposes, &c.; which on motion of Mr. McDougald, was taken up by Sections.

Mr. McDougald offered to amend the bill, by adding the following additional section, immediately after the 1st Section: which was adopted:

*"And be it further enacted*, That the taxes imposed by the acts of 1852, be reduced to seven and a half cents on the hundred dollars value, of all real and personal estate not herein after specified."

Mr. Crawford offered the following amendment to wit:

*"And be it further enacted*, That the assessment on land, shall be two-thirds of the rate per cent assessed by this act on other taxable property."

On the motion to adopt the amendment, the yeas and nays were required to be recorded, upon the call of Mr. Crawford, and are, yeas 18, nays 73.

Those who voted in the affirmative are, Messrs.

Adams,	Gross,	McGregor,
Alread,	J. Hardin,	McMillan,
Cameron,	Henderson,	Paris,
Clements,	Holland,	Pickett,
Crawford,	Keith,	Young,
Gartrell,	Liun,	Yopp,

Those who voted in the negative are, Messrs.

Andrews,	Armstrong,	Bell,
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Bostwick,	Hudson,	Riley,
Calloway,	Irwin,	N. Robinson,
Carlton,	Jones,	Rumph
Champion,	Lamar,	Shewmake,
Clark,	Leverett,	Shine,
Benj. Cleveland,	Mangham,	G. K. Smith,
W. C. Cleveland,	Masters.	W. R. Smith,
Cody,	Maxwell	W. Smith,
Denham,	Manor,	Stapleton,
Dodds,	McCurdy,	Staten,
Dubignon,	McDougald,	Stephens,
Durden,	McLean,	J. Stewart
Dial,	McWhorter,	Stokes,
Eberhart,	Mobley.	Strickland,
Fannin.	Moody	Strother,
Fields,	Moughon	Sweat,
Fish,	Nichols	J. Taylor,
Grant,	Phillips,	Trice,
W. P. Harden,	Poole,	Turner,
Harris,	Pottle,	J. H. Walton,
Harrison,	Radford,	W. A. Walton,
Hatton,	Redding,	Walker,
Hardeman,	G. R. Reid,	West,
Hays,	M. Reid,	Whitworth,
Hawkins,	Reynolds	H. L. Williams,
Headen,	Rice,	A. J. Williams,
Hendrick,	Richardson	Williamson,

So the motion was lost.

Mr. McCurdy moved to amend the substitute, by striking out all that portion of the bill, which proposes to revive the supplemental tax act.

On which motion the yeas and nays were required to be recorded, at the call of Mr. Fannin, and are : yeas 58, nays 47.

Those who voted in the affirmative are, Messrs

Alread,	Crittenden,	Hudson,
Bell,	Dodds	Keith,
Bostwick	Dubignon,	Leverett,
Boatright	Fields,	Linn.
Bridges,	Gartrell,	Masters
Cameron.	Harris,	Manor.
Champion,	Hays,	McCurdy,
Benj. Cleveland,	Hawkins,	McDonald,
Clements,	Henderson,	McDougald,
Crawford,	Hendrick,	McGregor,

McLean,	Riley,	Turner,
McMillan,	N. Robinson,	J H Walton,
Mobley,	Rumph.	Whitworth,
Moody,	Wm. Smith,	A. J. Williams,
Nichols,	Staten.	Williamson,
Paris,	Stephens,	Williford.
Pickett,	Strickland,	Young,
Poole,	Sweat,	Yopp.
Rice,	J. Taylor,	
Richardson,	Trice,	

Those who voted in the negative are, Messrs.

Adams,	W. P Harden,	Redding,
Anderson,	James Hardin,	G. R. Reid,
Andrews,	Harrison,	M. Reid,
Armstrong,	Harrall,	Reynolds,
Brown,	Hatton,	Shine,
Carlton,	Hardeman,	W. R. Smith.
Clark,	Headen	Stapleton,
Cody,	Irwin,	J. Stewart,
Denham,	Lamar,	Stokes,
Durden	Mangham,	Strother,
Dial,	McMullin,	Thornton,
Eberhart,	McWhorter,	W. A. Walton,
Fannin,	Moughon	Walker,
Fish,	Pottle,	H. L. Williams,
Grant,	Powell	Woodward,
Gross,	Radford,	

So the amendment was adopted.

Mr. Gartrell from the Committee of Enrolment, reported as duly enrolled, a bill to be entitled an act to legalize and make valid to all intents and purposes, an election held in and for the city of Columbus, on Saturday, the 7th day of January instant, for a Mayor, twelve Aldermen, a Marshal and Deputy Marshal, a Clerk of the Council, a Treasurer and Sexton for said city, and for other purposes therein named.

On motion, leave of absence was granted to Mr Moughon, for a few days

On motion of Mr. McDougald, leave of absence was granted to Mr. Robinson, of Washington, for a few days.

On motion, leave was granted to Mr. Poole and others, to introduce the following bills, which were read the first time, to wit :

Mr. Clements reported

A bill to be entitled an act to incorporate Villanow Acad-

emy, in the county of Walker, and appoint Trustees for the same.

Mr. Poole reported

A bill to be entitled an act to appropriate money for certain purposes therein mentioned.

Mr. McDougald reported

A bill to be entitled an act to increase the salaries of the Judges of the Superior Courts of this State.

Mr. Mangham reported

A bill to be entitled an act to change the lines between the counties of Pike and Spaulding, so as to include the residence of Uriah Askew, of the county of Spaulding, in the county of Pike, and to define the line between said counties.

Mr. Hays reported

A bill to be entitled an act to authorize Samuel L. Held, a cripple, of the county of Gwinnett, as an itinerant trader, to vend any goods, wares or merchandize, within the Sixth Congressional District, without obtaining license for the same.

Mr. Fannin reported

A bill to be entitled an act to change the name of the Southern & Western Female College.

Mr. Turner reported

A bill to be entitled an act to incorporate the Spring Place Mining Company, and for other purposes.

Mr. Lamar reported

A bill to be entitled an act to incorporate Sheffield Academy.

Mr. Fannin reported

A bill to be entitled an act for the relief of William J. Ridgill, of the State of Alabama. Also,

A bill to be entitled an act to exempt certain individuals from road and jury duties.

Mr. Thornton reported

A bill to be entitled an act to dispose of three fifths of the interest of the State, in the Western & Atlantic Rail Road.

On motion of Mr. McDougald, one hundred and fifty copies were ordered to be printed for the use of the House.

On motion of Mr. Fields, the House adjourned until 3 o'clock, P. M.

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### THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

The House resumed the unfinished business of the morning session.

Mr. Poole offered the following amendment to the oath

of the substitute of the original Tax Bill, to wit: "And that you have returned the same a a just and true cash valuation, to the best of your knowledge and belief, so help you God."

Mr. Mobley offered the following amendment, to the amendment of Mr. Poole, to wit: the words, "not less than its," to be inserted before the words, "just and true cash valuation;" and the amendment as amended, was adopted.

On motion of Mr. Gartrell, leave of absence was granted to Mr. Rumph.

Mr. Fannin moved to strike out of the bill, that portion of the same, which related to Banks and Rail Roads.

Mr. McCurdy moved to amend Mr. Fannin's amendment, by striking out only the words, "Rail Roads" which amendment was accepted by Mr. Fannin; pending which the following message was received from the Senate, by Mr. Moore their Secretary:

*Mr. Speaker*—I am directed to transmit forthwith to the House of Representatives, a bill, this day passed by the Senate, to alter the sessions of the Supreme Court at Mill-edgeville and Gainesville; to change and fix the times of holding the Superior and Inferior Courts, in the counties therein specified, to attach the county of Carroll, to the Coweta Circuit, and to make valid certain processes and proceedings in the Court of Common Pleas of the city of Augusta, and for other purposes.

The following message was received from His Excellency, the Governor, through Mr. DeGraffenried, his Secretary:

*Mr. Speaker*—The Governor has signed and approved an act to authorize the Governor to issue or cause to be issued to Mrs. Eliza J. Martin or her assigns a grant for lot number 4, in Square 44, of the city of Macon.

An act to legalize and make valid to all intents and purposes an election held in and for the city of Columbus, on Saturday, 7th instant, for a Mayor, twelve Aldermen, a Marshal and Deputy Marshal, a Clerk of the Council, a Treasurer and a Sexton for said city, and for other purposes therein named.

An act to lay out and organize a new county from the counties of Gilmer and Union; which were deposited in the office of Secretary of State.

I am also directed by the Governor to transmit to this branch of the General Assembly a communication in writing.

On motion of Mr. Phillips, the communication from his Excellency the Governor, was taken up and read, which is as follows:

EXECUTIVE CHAMBER,  
MILLEDGEVILLE, GEO., January 21st, 1854. }

*To the Senate and House of Representatives :*

I hereby inform the General Assembly that P. F. D. Scarborough, Esq., has resigned the office of Solicitor General of the Southern Judicial Circuit ; the resignation to take effect on the first day of February next.

HERSCHEL V. JOHNSON.

The House again resumed its business, and upon the amendment of Mr. Fannin, as amended by Mr. McCurdy, the yeas and nays were required to be recorded—at the call of Mr. McDougald—and are : yeas 62, nays 43.

Those who voted in the affirmative, are Messrs.

Adams,	Harrison,	Reynolds,
Alread,	Harrall,	Richardson,
Anderson,	Hatton,	Rowell,
Armstrong,	Hawkins	Shewmake,
Bell,	Irwin,	Shine,
Bostwick,	Jones,	G. K. Smith,
Boatright,	Lamar	W. R. Smith.
Cameron.	Latham,	W. Smith,
Carlton.	Leverett,	Stapleton,
Champion,	Linn,	Staten,
Clark.	Maxwell,	Stephens,
Benj. Cleveland,	McCurdy,	Stokes,
W. C. Cleveland,	McMullin,	Strickland,
Cody,	McWhorter.	Strother,
Dodds	Mobley,	W. A. Walton,
Durden	Paris,	Walker,
Fannin,	Phillips,	H. L. Williams,
Grant	Pottle,	A. J. Williams.
W P. Harden,	Radford,	Woodward,
James Hardin,	Redding,	
Harris,	G. R. Reid,	

Those who voted in the negative are, Messrs.

Clements,	Hays,	Manor,
Denham,	Headen,	McDonald,
Dyal,	Henderson,	McDougald,
Eberhart,	Holland,	McGregor,
Fields,	Hudson,	McLean,
Fish,	Keith,	McMillan,
Gartrell,	Mangham,	Moody,
Gross,	Masters	Nichols,

Pickett,	J. Stewart,	West,
Poole,	Sweat,	Whitworth,
Powell	J. Taylor,	Williamson,
M. Reid,	D. W. Taylor.	Young,
Rice,	Trice,	Yopp
Riley,	Turner,	
R A Robinson	J. H. Walton,	

So the motion was agreed to.

Mr. Redding offered the following amendment, as an additional section to the bill, which was agreed to, to wit :

*"And be it further enacted, That the President of the several Rail Road Companies of this State now in operation or hereafter, when put in operation, except those Roads exempt by law, shall, on or before the 1st of October, 1854, and annually thereafter, pay into the Treasury of the State one twelfth of one per cent. or whatever other rate per cent. may be assessed upon stock in trade, by the act passed at this session of the General Assembly, upon the citizens of this State ; the same to be assessed upon the amount of the capital stock of said Rail Road Companies, their appurtenances, furniture, &c., also upon all bonds, notes, accounts or other obligations due or to become due, and all other property owned by said Company, distinct from said Rail Roads and their appurtenances, the same tax that is paid by the citizens for like property, under the laws of this State, and if the said tax is not given in and paid in the manner and by the time specified in this act, the said Company shall pay a double tax, to be collected by execution issued by the Comptroller General."*

The question then recurred upon receiving the substitute, as amended, in lieu of the original bill.

Upon which question, the yeas and nays were required to be recorded, and are : yeas 42, nays 58.

Those who voted in the affirmative are, Messrs.

Boatright,	Latham	Powell.
W C. Cleveland,	Leverett,	Radford,
Fish,	Mangham,	Redding,
Gartrell,	McCurdy,	M. Reid,
Gross,	McDonald	Reynolds.
Harrall,	McDougald	Richardson.
Hatton,	Mobley,	Riley,
Hays,	Moody.	N. Robinson,
Henderson,	Nichols,	Shine,
Hudson,	Poole,	G. K. Smith,
	Pottle,	W. R. Smith,



Staten,  
J Stewart  
Strickland,  
Strother,

Sweat,  
D. W. Taylor,  
Trice,

Turner,  
Williamson,  
Woodward,

Those who voted in the negative are, Messrs.

Alread,  
Anderson,  
Armstrong,  
Bell,  
Bostwick,  
Calloway.  
Cameron,  
Carlton,  
Champion,  
Clark,  
Benj. Cleveland,  
Cody,  
Crawford,  
Denham.  
Dodds,  
Durden,  
Dial,  
Eberhart  
Fannin.  
Fields,

W P Harden  
J Hardin,  
Harris,  
Harrison,  
Hawkins,  
Headen,  
Holland,  
Irwin,  
Jones,  
Keith  
Linn,  
Masters,  
Maxwell,  
Manor,  
McGregor,  
McLean,  
McMillan  
McMullin,  
Paris,  
Phillips,

Pickett,  
G R Reid  
Rice,  
Rowell  
Shewmake,  
W. Smith,  
Stapleton,  
Stephens,  
Stokes,  
J. H. Walton,  
W. A. Walton,  
Walker,  
West.  
Whitworth,  
H. L. Williams,  
A. J. Williams,  
Young,  
Yopp.

So the substitute was lost.

Mr. Walker, from the Committee on Agriculture and Internal Improvements, made the following report, which was read, to wit :

The Joint Committee on Internal Improvements, to which has been referred a communication from his Excellency the Governor, of date 16th instant, accompanied by an application from the Legislature of Alabama, requesting the present General Assembly of Georgia to grant a charter for the extension of the North East & South West Alabama Rail Road, through the territory of the State of Georgia, to make connection with some one of the Rail Roads leading to Knoxville, in the State of Tennessee, and to which has also been referred a bill to be entitled an act to authorize the North East & South West Alabama Rail Road from the north west boundary line of the State of Georgia, to some one of the Rail Roads leading to Knoxville, in the State of Tennessee, ask leave to submit the following report :

The Committee have duly considered this application from the Legislature of our sister State, with a sincere dis-

position to grant the same; if found consistent with the interests of the people of Georgia. Under all circumstance and at all times the State of Georgia would give the most respectful and friendly attention to an application of such character as this; but, considering the courtesy recently extended by Alabama, in granting a charter to authorize the Savannah & Albany Rail Road Company to extend their road from Savannah, through Alabama, to Mobile, the obligation on the part of Georgia is increased, to meet if possible the views of that State.

At an early day in the history of Rail Roads in the United States, the State of Georgia, holding within her territory the best avenue in all the southern country for a Rail Road to connect the valleys of the Mississippi and the tributaries with the Atlantic ocean, resolved to build, from the public Treasury, the Western & Atlantic Rail Road,—extending from the eastern side of the Chattahoochee river, in the county of DeKalb, to the Tennessee river, at the town of Chattanooga. The work was one of so great magnitude requiring so vast an expenditure of money, as to preclude the idea of its accomplishment by individual capital and enterprise. It was the aim of Georgia, in the first place, to open the way through the mountain barrier, and then to invite and stimulate her citizens to carry on the great road from its eastern terminus at Atlanta, to Augusta on the one hand, and to Columbus on the other, and through the centre of the State to Savannah. By public law she held out promises to her people of State aid to secure an outlet, to the Atlantic and Gulf of Mexico. She knew that if any way was completed from the Ocean and the Gulf to Tennessee, Tennessee would not be slow in extending the important line of transportation through her territory. The great work has been accomplished; the people of Georgia own, as a public State work,—costing over five millions of dollars—one hundred and forty miles of the lines of the Rail Road now stretching from our eastern and western boundaries to Nashville and Knoxville, and destined, ere long, to far greater extension. It is then the highest interest and duty of Georgia to sustain her own public work, to protect it from injurious competition and to swell, as far as possible, its resources, its profits, and its blessings to the people. Next to this, it is the solemn duty of the State to leave untrammelled those great connecting works reared by the courage, wealth and perseverance of individual citizens, upon which the State work itself depends for commercial termini. Our State, in its political character, and our people, as individual members of the community, have zealously co-operated to establish the general system of Rail Roads which at this day challenges the admiration of all the States of our Union. This co-operation should continue,

for thereby every promise which was held out at the beginning will be realized and secured.

There is nothing illiberal or selfish in the determination of Georgia to seize upon those gifts of nature and a bounteous Providence, which seem to have been so exclusively her own, and by their proper and judicious use to secure for her own people the greatest possible advantage. Such determination is in no wise incompatible with her political or social relations to other States or their inhabitants. If Georgia was the pioneer in scaling the mountains to open the first highway in the South to bring the people of the great inner and outer seas into closest bonds of intercourse, friendship and interest with the people of the mighty west, is not Georgia entitled to the best and highest rewards for her enterprise and for her contributions? Considerations such as these press on the committee and make them studious to guard and protect the Western & Atlantic Rail Road, to foster and favor it and to see that they recommend no act of legislation which may by possibility impair its value.—Alabama asks the right to extend a line of Rail Road, projected from her western boundary, at the point soon to be reached by the road in Mississippi running from Vicksburg, eastwardly by Jackson and Brandon, to her north eastern boundary contiguous to Georgia, through the territory of Georgia, to join some one of the roads leading to Knoxville. The work sought to be carried through Georgia is not a State work of Alabama, but the enterprise of individuals.—The building of the Western & Atlantic Road led to and secured the building of the *only* Road leading from Georgia to Knoxville—the East Tennessee & Georgia Rail Road. The progress made in this last work has led to the construction of a continuous line from Virginia to Knoxville, and that line in turn has produced the work now sought to be carried through Georgia. The declared object is to make the shortest Rail Road thoroughfare of travel and transportation from New York to Vicksburg, Shreveport and El Paso del Norte to the Pacific ocean. Georgia is more directly interested in the thoroughfare leading across the State of South Carolina, entering Georgia at Augusta and leading thence by two separate lines across the State to Montgomery, Alabama. It has been the expectation of the people of this State that a Rail Road would be built from Montgomery westwardly to the same point at which the North East & South West Alabama Rail Road starts. Thus it was believed that the two lines from Virginia westwardly would come together at Atlanta, and by these means that great advantage and profit would accrue to our State Road, as well as the two great lines running across our State. The North East & South West Alabama Rail Road is then a rival Road to the Western & Atlantic Road, if by our legislation it shall be carried

to the *only* Road leading to Knoxville, it must cross the Western & Atlantic Road and deprive it of all character as a link in the great chain from North to South. If there be no Road from a point on the Western & Atlantic Road to the Alabama line the Western & Atlantic Road must be a part of the thoroughfare from Knoxville to Montgomery, Mobile, New Orleans, &c., and in that case the Atlanta & LaGrange Rail Road would be also part of that thoroughfare. The grant of the request of Alabama would seriously impair the value of the Western & Atlantic Road and the Atlanta & LaGrange Road.

It is true that the North East & South West Alabama Road may run into and through a part of Tennessee and connect in that State with the East Tennessee & Georgia Road and still be a rival Road to the Western & Atlantic Road; but, in such case, its rivalry will not be so powerful, and the Western & Atlantic Road may, notwithstanding, be the thoroughfare. It may be said that the North East & South West Alabama Rail Road Company may accomplish its purpose by uniting with other Companies chartered or to be chartered to individuals by Georgia; and therefore it would be well to grant the charter now asked. This leads the committee to consider what grants have been made or are likely to be made for Roads to run from the Western & Atlantic Road to the Alabama line. On the 22d January, 1842, a charter was granted to a Company for a Road to run from the Western & Atlantic Road, at or near Ringgold or such other point as the Company might select, through Walker and Chattooga counties, to the Alabama line. This charter it is believed would not avail the North East & South West Company, for the point of union, under it, must be in Walker county, whilst the Road leading to Knoxville begins in Murray (now Whitfield) county, and there would be an interfering link of the State Road. A bill has passed the Senate at this session to charter a Road from Dalton to some fit and eligible point on the Alabama line, on the most practicable route to Gadsden, on the Coosa river. This bill is now pending and has not yet passed into a law. It will be recollected that the Senate committee reported against the passage of that bill, on the ground that it would prove injurious to the Western & Atlantic Road. The Senate committee used the following language in their report :

“The completion of the Virginia and East Tennessee line of Rail Roads will establish a great thoroughfare of travel between the northern and southern sections of the Union. The Western & Atlantic Road will receive that travel at Dalton and enjoy it both on its upper and lower sections. If a Road be made from Dalton to connect with the Alabama improvements, the effect would be to cross the State Road

at Dalton and deprive it entirely of all the advantages to spring from the Virginia and Tennessee Improvements."

Such was the opinion of the Senate Committee on Internal Improvements—presented before this application from Alabama was made or known; it is here referred to because this committee think it contains a sound view of the subject.

There is pending in the Senate a bill which has passed the House, to authorize the Wills Valley Rail Road Company, of Alabama, to run a road through Dade county to some point on the Nashville & Chattanooga Rail Road. The committee think that the connection of the Alabama Roads with the Nashville & Chattanooga Road in Dade, will not prove injurious to the State Road,—that charter might be granted as an act of courtesy to the State of Alabama.

Such the committee believe is the whole action on the subject of Rail Roads, between the State Road and the Alabama line. Up to this time, no charter has been granted which can materially injure the Western & Atlantic Road; but if the Road from Dalton to the Alabama line in the direction of Gadsden be passed, the purpose of the North East & South West Alabama Rail Road Company will have been accomplished, to the great and irreparable injury of the State Road and the people of Georgia, whose property that Road is.

The committee have thus cordially expressed their whole views of the subject, under consideration to satisfy the State of Alabama that nothing but their earnest and pressing belief of doing injury to the Western & Atlantic Road, would prevent them from granting the right now asked. They are keenly alive to the obligations of courtesy and good neighborhood, which should exist in Georgia towards Alabama, and confess they are pained because they cannot find it in their power to do what that State asks.

They trust that the State of Alabama will be satisfied that the reasons presented by the committee for declining as they do to recommend the grant of this application are cogent and are enough to justify the State of Georgia in objecting to any Road which shall in fact or effect cross the State Road, thus depriving it of its character of being part of a great thoroughfare. In this view the committee are fortified by the opinion of Governor Bigler, of Pennsylvania, (expressed in his late message to the Legislature of that State, relative to the Rail Road difficulties at Erie,) who holds, that where no principle of commerce is violated, it is the right and duty of the State to turn her natural advantages to the promotion of the views and welfare of her people, and by Governor Manning, of South Carolina, in his message to the last Legislature, in relation to the Rabun Gap Rail Road; he advises a subscription of \$750,000 on the part of the State, with the view of securing the control of a majority of

the stock, in reference to the contingency which may frequently arise where trade and commerce are to be controlled for our benefit. And the Committee respectfully ask to be discharged from the further consideration of the subject.

On motion of Mr. Mobley, one thousand copies of the foregoing report were ordered to be printed.

On motion of Mr. Phillips, the House took up the message of the Senate in relation to the amendments to the bill of the House for the relief of William Taylor, of the county of Coweta, and concurred in the first amendment thereto.

Mr. Phillips then moved to postpone the bill for the present; which was agreed to.

On motion of Mr. Phillips, the House took up the message of the Senate in relation to the amendments to the following bill of the House, and concurred therein, to wit:

A bill to be entitled an act for the building of a Rail Road from the town of Athens to or near the town of Clayton, in Rabun county, so as to strike the Blue Ridge Rail Road, at such point as the stockholders may determine.

On motion of Mr. Denham, the following resolution of the Senate was taken up, read and concurred in, to wit:

WHEREAS: Elizabeth Stell, widow, of Hackney's District, Morgan county, drew lot of land number three, in the 4th District of Appling county, and whereas, the name of the said Elizabeth Stell was erroneously entered "Elizabeth Silk," and the grant issued accordingly, therefore be it

*Resolved*, By the Senate and House of Representatives, That his Excellency the Governor, be requested to have the error in said grant corrected, as well as the books in which the same has been registered and recorded.

On motion of Mr. Williams of Sumter, the rules of the House were suspended, and the following bill of the Senate was taken up and read the first time, to wit:

A bill to be entitled an act to alter the sessions of the Supreme Court at Milledgeville and Gainesville; to change and fix the times of holding the Superior and Inferior Courts in the counties therein specified; to attach the county of Carroll to the Coweta Circuit, and to make valid certain processes and proceedings in the Court of Common Pleas of the city of Augusta, and for other purposes.

On motion, the House adjourned until half past 9 o'clock Monday morning next.

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### MONDAY, JANUARY 23rd, 1854.

The House met pursuant to adjournment.

On motion, leave of absence was granted to Mr. Crittenden.

Mr. Williams, of Sumter, moved to suspend the rules, to

taken up the following Senate bill ; which was agreed to, and the bill was read a second time, to wit :

An act to be entitled an act to alter the sessions of the Supreme Court at Milledgeville and Gainesville—to change and fit the time of holding the Superior and Inferior Courts in the counties therein specified—to attach the county of Carroll to the Coweta circuit, and to make valid certain processes and proceedings in the Court of Common Pleas of the city of Augusta, and for other purposes.

Mr. Richardson moved to suspend the regular order, to allow him to introduce the following resolution ; which was read as follows :

WHEREAS, the Democratic party, at the opening of the session of the present Legislature, went into a nomination of United States Senator, which Charles J. McDonald received, under the two-thirds rule ; and, whereas, a caucus was subsequently held, absolving the party from said nomination, and virtually recinding it ; and, whereas, the time and money of the people has been unnecessarily wasted, by twelve fruitless ballotings, to secure said election :

*Resolved*, That inasmuch, as the term of service of William C. Dawson will not expire until March 4th, 1855, and there is consequently, no urgent necessity to go into a Senatorial election at present—causing a useless expenditure of time and money—the election of United States Senator be postponed, until next session of the Legislature.

Mr. Mobley moved to take up the resolution.

Upon which motion, Mr. Pottle required the yeas and nays to be recorded, which are : yeas 55, nays 61.

Those who voted in the affirmative are Messrs.

Alread,	Grant,	Radford,
Anderson,	W P. Harden,	Reynolds,
Armstrong,	Harris,	Riley,
Bell,	Harrall,	Shewmake,
Bostwick,	Hardenian,	J. C. Smith,
Brown,	Irwin,	Stapleton,
Calloway,	Maxwell,	Staten
Cameron,	McCurdy,	Stephens,
Carlton,	McGregor	L. S. Stewart,
Champion,	McMilian,	Strother,
Clark,	McMullin,	Thornton,
Benj. Cleveland,	McWhorter,	Turner,
Cody,	Mobley,	J. H. Walton,
Dawson,	Moody,	W. A. Walton,
Dodds	Paris,	Walker,
Dubignon,	Pottle,	A. J. Williams,
Fannin,	Powers.	Williamson,

Wilson,  
Williford,

Woodward,

Yopp.

Those who voted in the negative are, Messrs.

Adams,	Henderson,	M Reid,
Andrews	Hendrick,	Rice,
Bridges,	Holland,	N. Robinson,
W. C. Cleveland,	Jones,	Rowell
Clements	Keith,	Shine,
Crawford,	Lamar,	G. K. Smith,
Denham,	Latham.	W R. Smith,
Durden	Leverett,	W Smith,
Dial,	Linn,	J. Stewart,
Eberhart,	Mangham,	Stokes
Fields,	Masters,	Strickland,
Fish,	McComb,	Sweat.
Gartrell,	McDonald,	J. Taylor,
Gross,	McDougald,	D. W Taylor.
J. Hardin,	McLean,	Trice,
Harrison,	Nichols,	West,
Hatton,	Phillips,	Whitworth.
Hays,	Pickett.	H. L. Williams,
Hawkins,	Poole,	Young,
Hamilton,	Redding,	
Headen,	G. R. Reid,	

So the motion was passed.

On motion, the following communication, and resolution accompany the same, was taken up and read, to wit:

*To the Honorable the Speaker of the*

*House of Representatives of the State of Georgia:*

By a resolution of the City Council of Augusta, passed on the 14th instant, of which a copy is enclosed, I have been requested to forward to you, the following brief statement of the proceedings of certain citizens of South Carolina, in relation to the collection of a contribution, called toll, at the Augusta Bridge.

The Bank of the State of Georgia, while owning the Bridge, by virtue of a purchase at Sheriff's sale, under the foreclosure of a mortgage, purchased of the *State of South Carolina*, (not from a person holding under *South Carolina*, hence our title is direct from the State,) through Commissioner Balis J. Earle, Esq., a lot of land in South Carolina, for a public highway, and the *abutments* of a bridge forever. Said Bank afterwards sold the Bridge and lot aforesaid to G. B. Lamar, Esq., who, in the year 1839, sold the same to the city of Augusta, for one hundred thousand dollars—at which,



the property was offer to the South Carolina Rail Road Company, who refused it at that price.

Soon after the last mentioned purchase, the late Henry Shultz, Esq., filed a bill in Equity, in Edgefield District, South Carolina, against the City Council of Augusta, for the recovery of the Bridge and appurtenances. The case was tried by Chancellor Harper, at Edgefield, who decided against Shultz, on every point. This decision was afterwards unanimously confirmed by the Equity Court of Appeals.

Mr. Shultz afterwards commenced suit in the Circuit Court of the United States, at Savannah, Georgia, against the City Council, for the recovery of the Bridge, and against the State Bank of Georgia and Mr. Lamar, for other claims. The defendants pleaded a demurrer, which was unanimously sustained by the Court.

The case was carried by appeal to the Supreme Court of the United States, by which the decision of the Circuit Court was sustained.

The City Council of Augusta hold a charter for the Bridge from the State of Georgia, but none from South Carolina.— Since about 1847, when the charter from that State expired, when negotiating for the passages of the South Carolina Rail Road into the city of Augusta, the expectation was held out, that a charter for the Bridge from South Carolina would be given, although, from inability to bind the Legislature, this condition was not inserted in the written contract.

The application was made at the session of 1852, but was not granted. At the last session, it was not granted, but authority was conferred, or pretended to be conferred, on James Jones and Joseph J. Kennedy, assignees of Henry Shultz, and John McKinne, to collect contributions, or so called toils, from persons passing the Bridge. With the permission of the Town Council of Hamburg, said Jones and Kennedy have recently erected a gate and built a toll house on the street in Hamburg, adjoining the property of the city of Augusta, where they have stationed a collector, whose collections are regarded with such abhorrence by our citizens, and by travellers generally, as to seriously, I believe, endanger the public peace.

It is believed to be the first time, in the history of this country, in which the Legislature of a State has attempted to take private property ; or, which is the same thing, the profits of such property, as far as their jurisdiction extends, from those, to whom a solemn decision of their own Courts, as well as the Supreme Court of the United States, has awarded it ; and to confer it on those, who claim under a person, who had no right to it whatever. And a recent act of the same Legislature, granting the privilege of making

these contributions, recognizes the right of property as being in the City Council of Augusta.

The City Council have been informed that, on the 14th instant, the Town Council of Hamburg passed an order, to have the gate and toll house removed from the streets in five days, and that an attempt will be made to place the same on the bridge, or on the lot adjoining, bought of the *State of South Carolina*, for an abutment for the Bridge, as before stated.

The brevity, which I am requested to observe, renders it improper for me to add more.

The Honorable Andrew J. Miller, Senator from this county can give you many additional facts, as well as dates, he having thoroughly investigated the facts.

I am, very respectfully,

Your obedient servant,

W. E. DEARING,

Mayor, City of Augusta.

By Mr. Harper, passed unanimously :

*Resolved*, That his Honor, the Mayor, be requested to forward to the Honorable, the President of the Senate, and the Honorable, the Speaker of the House of Representatives of the State of Georgia, for the information of the General Assembly, a brief statement of the injustice done to the citizens of Augusta, and the violation of their rights, as citizens of the State of Georgia, by the levying, in the State of South Carolina, of a contribution, improperly called "toll," from persons passing over or from the "Augusta Bridge," which is the property of the city of Augusta—of which the city is in peaceable possession, by fair purchase, as well as by repeated concurrent decisions of the highest tribunals of the country.

I do hereby, certify, that the above and foregoing is a true extract of the Minutes of Council, of January 14th, 1854.

L. L. ANTONY,

Clerk of Council.

Mr. Lamar offered the following resolution, in relation to the foregoing communication and resolution from the City Council of Augusta, to wit :

*Resolved*, That the communication from the City Council of Augusta, in relation to the action of the Legislature of South Carolina, relative to the bridge across the Savannah river, be referred to a select committee, consisting of seven on the part of the House, to act jointly with a similar committee appointed by the Senate.

The resolution was taken up and adopted, and the following gentlemen were appointed on the Joint Committee, to wit: Messrs. Lamar, Latham, McDougald, Irwin, Pottle, Walker and Smith of DeKalb.

The following message was received from the Senate. by Mr. Moore, their Secretary :

*Mr. Speaker*—The Senate has passed the following bills, to wit :

A bill to regulate the granting of new trials. Also,

A bill to alter and amend the 3d Section of the 3d Article of the Constitution of this State. Also,

A bill to secure a preference to persons in possession of applications for grants, under the laws pertaining to head rights. Also,

A bill requiring testamentary trustees to make annual returns. Also,

A bill for the relief of Morgan Norris, of the county of Warren. Also,

A bill to authorize the Judges of the Superior Courts, as Chancellors, to make certain orders and decrees. Also,

A bill to repeal an act entitled an act, for the relief of a certain portion of the citizens of Wayne county, approved 27th day of December, 1847

On motion of Mr. Turner, the rules of the House were suspended, and the following bill was taken up and read a second time, to wit :

A bill to be entitled an act, for the relief of Samuel M. Street.

On motion of Mr. Turner, the same was referred to a special committee of Five, consisting of Messrs. Turner, Mays, Dial, Reynolds and Hamilton.

Mr. Alread introduced the following resolution ; which was read, to wit :

*Resolved*, By the Senate and House of Representatives, that this General Assembly adjourn *sine die* on Saturday next, 28th instant.

Mr. Redding moved to suspend the rules of the House, to take up the message of the Senate, in reference to the House bill for the relief of William Taylor, of the county of Coweta ; which was agreed to.

Mr. Redding then moved to concur in the amendment of the Senate, which relates to the relief of William R. Murphy of Monroe county ; which was agreed to.

On motion of Mr. Alread, the House disagreed to the amendment of the Senate, relating to the relief of Dr. Alexander M. Pratt, of the county of Franklin.

On motion of Mr. Irwin, the Clerk was directed to inform the Senate that the House had agreed to two of the amendments to said bill, and disagree to one of them.

On motion of Mr. Irwin, the Clerk was directed to inform the Senate that the House is now ready to receive them in their Hall, to proceed to the election of United States Senator.

Pending which, the following message was received from the Senate, by Mr. Moore, their Secretary :

*Mr. Speaker*—The Senate has passed the following bills, to wit :

A bill to change the name of Griffin Collegiate Seminary. Also,

A bill to charter the Charleston and Savannah Rail Road, and to authorize suits against the same, and certain other Rail Road Companies therein specified. Also,

A bill to extend the provisions of the acts, relating to lunacy and idiocy, to the cases of persons incompetent to conduct their own business. Also,

A bill for taking answers of parties in suits in this State, when such parties reside without the limits of the State.—Also,

A bill of the House of Representatives, to be entitled an act to pardon James L. D. Register, of the county of Troup, now under the sentence of death for the crime of murder.

Mr. Ridley offers the following resolution, which was taken up, read and agreed to to-wit :

*Resolved*, Whereas, various suits at law are now pending in the Courts of Tennessee, against the State of Georgia on account of the Western & Atlantic Rail Road; and whereas, the interest of Georgia may materially suffer, unless she shall be suitably represented in said Courts. For remedy whereof, be it

*Resolved*, by the Senate and House of Representatives of the State of Georgia, in General Assembly met, That from and after the passage of this resolution, his Excellency the Governor be and he is hereby authorized and empowered to employ an able and efficient lawyer of the State of Georgia, in conjunction with the counsel already employed by the State's Agent in Tennessee, to represent the State in said Courts; and that said lawyers be directed to conduct said suits to a final issue, either by compromise, arbitration, or in any other way, as to them shall seem best calculated to promote the interest of Georgia.

They have also agreed to a resolution authorizing the Governor of this State to employ counsel to conduct certain suits at law in the Courts of Tennessee, in reference to the Western & Atlantic Rail Road, in which they ask the concurrence of the House of Representatives.

Which duty being performed by the Clerk, the President and members of the Senate attended in the House, and the General Assembly proceeded to ballot for the election of a United States Senator; and after three unsuccessful ballotings, Mr. Stephens, Senator from the county of Hancock, moved that the General Assembly take a recess until the 1st of April, and that the Senate repair to their chamber.

Upon which motion, Mr. Stephens, Senator from Hancock,

required the yeas and nays to be recorded, which are : yeas 55, nays 68.

Those who voted in the affirmative are, Messrs.

Alread,	Harris,	Riley,
Anderson,	Harrall,	Shewmake,
Armstrong,	Hardeman,	Stapleton,
Bell,	Irwin,	Staten,
Bostwick,	Maxwell,	Stephens,
Brown,	McCurdy,	L. S. Stewart,
Calloway,	McGregor,	Strother,
Cameron,	McMillan,	Thornton,
Carlton,	McMullin,	Turner,
Champion,	McWhorter	J. H. Walton,
Clark,	Mobley,	W A Walton
Benj. Cleveland,	Moody,	Walker,
Cody,	Paris,	A. J. Williams
Dawson,	Pottle,	Williamson,
Dodds,	Powell,	Wilson,
Dubignon	Powers,	Williford,
Fannin.	Radford,	Woodward,
Grant,	Reynolds,	Yopp.
W. P. Harden,	Richardson,	

Those who voted in the negative are, Messrs.

Adams,	Hamilton,	Phillips,
Andrews,	Headen,	Pickett,
Boatright,	Henderson	Poole,
Bridges,	Hendrick	Redding,
W. C. Cleveland,	Holland,	G. R. Reid,
Clements	Hudson,	M. Reid,
Crawford,	Jones.	Rice,
Denham,	Keith,	N. Robinson,
Durden	Lamar,	Rowell
Dial,	Latham,	Shine,
Eberhart,	Leverett,	J. C. Smith,
Fields,	Linn,	G. K. Smith
Fish,	Mangham,	W. R. Smith,
Gartrell	Masters,	W Smith,
Green,	Manor,	J. Stewart,
Griffin,	Mays,	Stokes,
J. Hardin,	McComb,	Strickland,
Harrison,	McDonald,	Sweat,
Hatton,	McDougald,	J. Taylor,
Hays.	McLean,	D. W. Taylor
Hawkins,	Nichols,	Trice,

H. L. Williams, Young,

The General Assembly then proceeded to the fourth ballot: and upon receiving and counting out the votes, it appeared that the Hon. Alfred Iverson had received a majority of the votes given in. Whereupon, the Chairman declared him duly elected Senator of the United States, for the term of six years, from and after the 3d day of March, 1855.

On motion of Mr. Clark, the House then adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

On motion of Mr. Arnold, leave of absence was granted to Messrs. Cleveland of Crawford, and Woodward.

The House then proceeded to the unfinished business of Saturday, which was the tax bill for the political years 1854 and 1855.

Pending which, the following message was received from the Senate by Mr. Moore, their Secretary :

*Mr. Speaker*—The Senate has agreed to a resolution recommending James P. Flewellen, a citizen of Georgia, to the President of the United States, for appointment as Captain of Dragoons in the new Regiment, proposed to be added to the present military establishment. Also,

A resolution to appoint a Joint Committee of five from the Senate and seven from the House, to confer and report upon some early day for the adjournment of the present General Assembly, in which they ask the concurrence of the House of Representatives.

The committee appointed on the part of the Senate are,  
Messrs. Williamson, Ridley, Cone, Green and Greer.

Mr. Walker offered the following amendment as a substitute for the 1st Section of the tax bill under consideration, to-wit :

Sec. 1. *Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, all lands in this State not included in a city, town or village, shall be known as 1st, 2nd and 3d quality Tide Swamp Land; 1st, 2nd and 3d quality Sea Island and Inland Swamp Land; 1st, 2nd and 3d quality High, Inland, Swamp Valley and River Bottom Land; 1st,

2nd and 3d quality of Oak and Hickory Land ; and 1st, 2nd and 3d quality of Pine Land ; and that the per acre tax thereon shall be as follows, to-wit :

On 1st quality tide swamp land, 10 cents per acre: on 2d quality do., 5 cents per acre, and on 3d quality do., 2 1-2 cents per acre ; on 1st quality sea island and inland swamp land, 2 cents per acre : on 2d quality do. 1 cent per acre ; on 3d quality do., 6 mills per acre ; on 1st quality high inland, swamp, valley and river bottom land, 2 cents per acre ; on 2d quality do., 1 cent per acre, and on 3d quality, 6 mills per acre ; on 1st quality oak and hickory land, 1 1-2 cents per acre ; on 2d quality do. 8 mills per acre ; on 3d quality do. 4 mills per acre ; on 1st quality pine land, 1 1-2 cents per acre ; on 2d quality do. 8 mills per acre ; on 3d quality do., 3 mills per acre.

Mr. Fannin offered to amend the 1st Section, by striking out 'inland' and inserting in lieu thereof, 'valley land;' which was agreed to.

Mr. Harrison moved to strike out '10 cents' and insert '6 cents' as the tax on rice land; which motion was lost.

Mr. Pickett moved to strike out all the 1st Section, commencing with the words 'on 1st quality of oak and hickory land, 1 1-2 cents,' &c. and inserting in lieu thereof, the following, to-wit :

'On 1st quality of oak and hickory land, *one cent* ; 2d quality eight mills ; 3d quality, four mills ; 1st quality pine land, *one cent* ; 2d quality, eight mills ; 3d quality, four mills : 4th quality mountain land, one mill.'

On the question to strike out, the yeas and nays were required to be recorded at the call of Mr. Pickett, and are : yeas 26, nays 71.

Those who voted in the affirmative are, Messrs

Alread,	McCurdy,	M. Reid,
Bridges,	McMillan,	Rice,
Crawford,	Nichols,	Riley,
Denham,	Paris,	Shine,
Fish,	Phillips,	W. R. Smith,
Hatton,	Pickett,	Turner,
Headen,	Poole,	West,
Mangham,	Powell,	Young,
Masters,	Redding,	

Those who voted in the negative are, Messrs.

Adams,	Armstrong.	Cameron,
Anderson,	Bell,	Carlton,
Andrews,	Boatright,	Champion,
Arnold,	Calloway,	Benj. Cleveland,

Cody,	Hudson,	Richardson,
Dawson,	Irwin,	Rowell
Dodds,	Keith,	Shewmake,
Dubignon	Latham,	G. K Smith.
Durden,	Leverett,	W. Smith,
Dial,	Linn,	Stapleton,
Eberhart,	Maxwell,	Staten,
Fannin,	Manor,	Stephens,
Fields,	Mays,	L S Stewart,
Gartrell,	McDonald,	J. Stewart,
Grant,	McLean,	Strickland,
Green	McMullin,	Strother,
Gross,	McWhorter,	J Taylor
W. P. Harden,	Mobley,	Walker
Harris,	Moody	Whitworth
Harrison,	Moughon,	A. J. Williams,
Hardeman,	Powers,	H. L. Williams,
Hays,	Radford,	Williamson,
Hamilton,	M. Reid,	Yopp,
Henderson,	Reynolds,	

So the motion was lost.

Pending the discussion, Mr. Gartrell from the Committee on Enrolment, reported as duly enrolled, the following bill to-wit :

An act to pardon James L. D. Register of the county of Troup, now under sentence of death for the crime of murder.

The House resumed its business, and

Mr. Cleveland of Habersham moved to amend by adding another classification to be '4th quality.'

Upon the question of adopting this amendment, the yeas and nays were required to be recorded, and are : yeas 30, nays 73.

Those who voted in the affirmative are, Messrs.

Adams,	Headen,	Riley.
Alread,	Holland,	W. Smith,
Benj. Cleveland,	Linn,	Staten,
Clements,	McCurdy,	J. Stewart,
Crawford,	McGregor,	Sweat,
Denham,	McLean,	J. Taylor
Durden,	McMillan,	Turner,
Fields.	Paris,	Whitworth.
Hatton,	Pickett,	Young.
Hays,	Powell,	Yopp.



Those who voted in the negative are, Messrs.

Anderson	Harris,	G. R. Reid,
Andrews,	Harrison,	M. Reid,
Arnold.	Harrel,	Reynolds
Armstrong,	Hardeman,	Rice,
Bell,	Henderson,	Richardson,
Bostwick,	Hudson,	N Robinson
Boatright,	Irwin,	Rowell,
Bridges,	Jones	Shewmake,
Cameron,	Latham.	G K. Smith,
Carlton,	Leverett,	W. R. Smith,
Champion,	Mangham,	Stapleton,
Clark,	Masters,	Stephens,
Cody,	Maxwell,	L. S. Stewart,
Dawson,	Manor,	Stokes,
Dodds	McMullin,	Strickland,
Dubignoa	McWhorter,	Strother,
Dial,	Mobley,	Thornton,
Eberhart,	Moody	Trice,
Fannin,	Moughon	W. A. Walton,
Fish	Nichols,	Walker,
Gartrell,	Pottle,	West,
Grant,	Powers.	A. J. Williams
Gross,	Radford,	H. L. Williams,
W. P. Harden,	Redding,	Williamson,

So the motion was lost.

Mr. Fannin moved to amend the bill by adding an additional classification, to be called 'salt marsh lands.'

The question then recurred upon inserting the amendment of Mr. Walker ; which was agreed to.

Mr. Mobley moved to strike out the words 'all improved lots contiguous to any such city, town or village, or connected with a farm or plantation.'

Upon which motion, the yeas and nays were required to be recorded, at the call of Mr. Mobley, which are ; yeas 18, nays 70.

Those who voted in the affirmative are, Messrs.

Adams,	Hawkins	Pottle,
Benj. Cleveland,	Maxwell,	Riley,
Gartrell,	McCurdy,	Shewmake,
Green	McDonald,	G. K. Smith,
Griffin,	Mobley,	W R. Smith.
Harrall,	Phillips,	Strother,

Those who voted in the negative are Messrs.

Alread,	Hardeman	Radford,
Anderson,	Hays,	Redding,
Andrews,	Headen,	G. R. Reid,
Arnold,	Henderson,	M. Reid,
Bell,	Hudson,	Reynolds,
Boatright,	Irwin,	Richardson,
Bridges,	Latham,	N. Robinson,
Calloway,	Leverett,	W. Smith,
Cameron,	Linn,	Stapleton,
Clark,	Mangham,	Staten,
Cody,	Masters	Stephens,
Crawford,	McDougald,	J. Stewart,
Dawson,	McGregor,	Sweat,
Dubignon,	McLean,	J. Taylor,
Durden	McMullin,	Trice,
Dyal,	McWhorter.	Turner,
Eberhart,	Moody,	W. A. Walton,
Fannin,	Moughon	A. J. Williams,
Fields,	Paris,	Williamson,
Fish,	Pickett,	Wilson,
Gross,	Poole,	Williford,
W. P. Harden,	Powell	Yopp
Harris,	Powers,	
Harrison,		

So the motion was lost.

Mr. Redding moved to amend the bill by striking out the 3d Section, and inserting in lieu thereof, the following, to-wit,

*‘And be it further enacted, That all slaves in the State under sixty years of age, except such as are infirm or incapable of labor, from disease;’* which amendment was adopted.

Mr. Phillips moved to amend, by inserting the following section, to wit :

*‘That all dwelling houses, not in a city, town or village or contiguous thereto, shall be taxed one tenth of one per cent. on the value thereof, over and above the value of one thousand dollars;’* which motion was lost.

Mr. Pottle moved to adjourn until 9 o'clock to-morrow morning.

Upon which motion, the yeas and nays were required to be recorded, and are; yeas 48, nays 50.

Those who voted in the affirmative are, Messrs

Adams,	Cameron.	Cody,
Bell,	Champion,	Crawford,
Calloway	Benj. Cleveland,	Dubignon,

Gartrell,	McGregor,	G. K. Smith,
Grant,	Moughon	Wm. Smith,
Griffin,	Paris,	Stapleton,
Gross,	Phillips,	Staten.
Harris,	Pickett,	Stephens,
Hays,	Poole,	Strickland,
Hamilton,	Pottle,	Strotber,
Holland,	Powell	Thornton,
Hudson,	Powers,	West,
Latham,	Richardson,	Whitworth,
Maxwell,	Riley,	A. J. Williams,
McDonald,	Shewmake,	Wilson,
McDougald,	Shine,	Williford.

Those who voted in the negative are, Messrs.

Alread,	Hatton,	Redding,
Anderson,	Hardeman,	G. R. Reid,
Andrews,	Headen	M. Reid,
Arnold,	Henderson,	J. C. Smith,
Armstrong,	Irwin,	W. R. Smith.
Bridges,	Mangham,	J. Stewart,
Carlton,	Masters	Stokes,
Clark,	Manor,	Sweat,
Durden	Mays,	D. W. Taylor.
Eberhart,	McCurdy,	Trice,
Fannin,	McLean,	Turner,
Fields,	McMullin,	W. A. Walton,
Fish,	McWhorter,	Walker,
W. P. Harden,	Mobley,	H. L. Williams,
James Hardin,	Moody,	Williamson,
Harrison,	Nichols,	Young,
Harrall,	Radford,	Yopp.

So the motion was lost.

On motion, the House then adjourned to 7 o'clock, P. M.

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### SEVEN O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. Fields moved to suspend the rules of the House to take up bills of the House for a second reading; which motion was agreed to.

The following bills were taken up read a second time, and ordered to be committed for a third reading; to wit :

A bill to entitled anact to alter and amend an act entit-

led an act to alter the law in relation to the interest on money, approved December 17th 1845.

A bill to be entitled an act to incorporate the Macon Manufacturing company.

A bill to be entitled an act to incorporate a bank in the town of Fort Gaines, to be called the South Western bank of Georgia.

A bill to be entitled an act to alter and amend the 8th Section of an act entitled an act to carry into effect the amended constitution of this State, in reference to the Ordinaries of said State, so as to change the time of holding the Courts of Ordinary, from the first to the second Monday in each and every month, so far as the county of Cherokee is concerned.

A bill to be entitled an act for the relief of Charles W. Mabry, of the county of Heard.

A bill to be entitled an act amendatory of an act to authorize the Governor to appoint fit and proper persons to sell and dispose of the undrawn lots in the land lotteries heretofore had in this State, and to limit the time for fraction purchasers to pay for, and to take out grants for fractions, and for other purposes.

A bill to be entitled an act to alter and change the name of Mary Jane Bender, to that of Mary Jane Gordon, and to legitimize the same.

A bill to be entitled an act to incorporate Haynesville Baptist Church of Houston county.

A bill to be entitled an act to incorporate an academy on lot No. 182, in the 10th district in the county of Merriwether, to be known by the name and style of Spring Hill Academy, and provide means for the same.

A bill to be entitled an act to vest in the Trustees of the Eatonton Camp Ground in the county of Putnam, authority to make by-laws and regulations necessary to the peace, good order and good government of said camp ground, and to enforce the same, and for other purposes.

A bill to be entitled an act to appoint commissioners to digest, prepare and report to the next Legislature a new code of Statute laws of this State.

A bill to be entitled an act to limit the number and prescribe the manner of electing assistant clerks of the House of Representatives, and also the number of assistant clerks under the Secretary of the Senate, and for other purposes therein mentioned.

A bill to be entitled an act to authorize and require the Poor School Commissioners of the county of Warren to pay George W. Ray out of the Poor School Fund of said county, the amount paid by him as Justice of the Peace, out of his individual funds, for teaching poor children in said county in the year 1850.

A bill to be entitled an act to authorize equitable remedy of specific performance in certain cases.

A bill to be entitled an act to authorize John C. George, Guardian of Jane Jones a free woman of color, in the county of Spaulding, to bind out her children, &c.

A bill to be entitled an act to give to Justices of the Inferior courts in each county of this State, the exclusive right to grant license to retail spirituous liquors in their respective counties, and to fix the same.

A bill to be entitled an act to amend an act to alter and change the time of holding the Superior Courts in the county of Marion, &c., approved December 10th 1851.

A bill to be entitled an act to appropriate money for the improvement of the navigation of the Big Satilla and Alapaha rivers, and to appoint commissioners for the same.

A bill to be entitled an act to alter and amend so much of the Judiciary system of this State as relates to the jurisdiction of the Justices of the Peace of this State, and to extend the stay of executions.

The following bill was taken up, read a second time and on motion of Mr. McDougald the same was referred to the committee on the Judiciary, to wit :

A bill to be entitled an act to require the several Judges of the Superior Courts of this State, on the trial of all causes before a special Jury, either at law or in Equity, to have all the parole testimony or evidence given in, taken down in writing at the request of either party, or their council, in the words and language of the witness, as near as may be; and to require Judges to reduce to writing before pronouncing the same their judgement or opinion, upon all matters arising at law or in equity or of a criminal nature; and also to require said Judges to reduce to writing before delivering the same their charge to the aforesaid Special or Petit Jurors, and to give the same in charge as so written and not otherwise; and for other purposes therein named.

The House took up the following bill which was read the second time, and upon motion of Mr. Cleveland of Habersham was referred to the Judiciary Committee, to wit :

A bill to be entitled an act to authorize the distribution of estates, in certain cases therein mentioned;

The following bills were taken up, read a second time, and ordered to be committed for a third reading, to wit :

A bill to be entitled an act for the relief of Donald McDonald teacher of poor children of the county of Monroe, for the years 1852 and 1853; and also for the relief of Amos Lassetter, teacher of poor children of the county of Houston, for the year 1851

A bill to be entitled an act to prevent the circulation in this State of bank notes of a less denomination than five dollars, issued in any other State, and for other purposes.

A bill to be entitled an act more effectually to prevent trading with slaves and furnishing them with intoxicating liquors,

A bill to authorize Thomas D. Lewis a minor, to transact business as though he was twenty one years of age, and legalize the same.

A bill to authorize the Justices of the Inferior Court, of the county of Gilmer, to lay off said county into School Districts.

A bill to be entitled an act to incorporate a volunteer corps of Infantry at Thomasville in the county of Thomas, to be known by the name and style of the Thomasville Guards, to authorize the Governor to furnish them with arms and accoutrements, and to grant certain privileges and exemptions to the same.

A bill to be entitled an act to authorize the Tax Collector of Columbia county to pay the State tax of said county for the year 1854, to the Inferior court of said county, for the purpose of building a new Court House in said county.

A bill to be entitled an act for the relief of Martha Ann Smithwick.

A bill to be entitled an act to compel Justices of the Inferior Court of the county of Liberty, to grant license to retail spirituous liquors.

A bill to be entitled an act for the relief of Clerks of the Superior and Inferior courts in certain cases, and to regulate the service by Sheriffs of writs and processes at common law.

A bill to be entitled an act to change the name of the Forsyth Female Collegiate Institute, to that of the Monroe Female University.

A bill to be entitled an act to amend the rent laws of this State.

A bill to be entitled an act to amend an act entitled an act to incorporate the town of Washington, in the county of Wilkes., assented to 1821, and to vest the Inferior courts of said county with discretionary powers in certain cases.

A bill to be entitled an act to alter and amend an act entitled an act to carry into effect the 4th and 5th sections of the 3rd article of the constitution of the State of Georgia, approved December 21st, 1819.

A bill to change the name of Nancy Hightower.

A bill to be entitled an act to appropriate a sum of money therein specified, and to authorize his Excellency the Governor to draw his warrant on the Treasury in favor of Drewry W Taylor of Houston county, for twenty-two dollars and ninety-six cents, for money advanced to pay for advertising lands, and for commission for selling land under the provisions of an act, approved December 30th, 1847.

A bill to be entitled an act to authorize the Justices of the Inferior courts of Lumpkin county, or a majority of them, to levy an extra tax for the purpose of building a jail, &c.

A bill to be entitled an act for the relief of Jane Levy, wife of Lewis Levy of Richmond county.

A bill to be entitled an act to protect the citizens of Dade county from the injurious consequences of cattle speculators driving stock through said county, and spreading distempers, to the destruction of the stock of the people living therein.

An act to define the liability of rent to levy and sale, and to protect the rights of owners of land in this State.

The following bill was taken up and read a second time, and upon motion of Mr. Pottle was referred to the committee on the Judiciary, to wit :

A bill to be entitled act to carry into effect an act entitled an act respecting bastardy and other immoralities.

The following bills were taken up, read a second time and committed for a third reading, to wit :

A bill to be entitled an act to alter and change the name of Daniel Elliott to Stuart Elliott.

A bill to be entitled an act to incorporate certain churches herein named, and to appoint trustees for the same.

A bill to be entitled an act for the encouragement and promotion of agriculture, and to allow persons owning lands on creeks and rivers to embank the same.

A bill to be entitled an act to amend the insolvent laws of this State.

A bill to be entitled an act to extend the provisions of an act entitled an act to amend the several acts now in force, respecting the fees of magistrates and constables in the State of Georgia, so far as relates to the counties of Bibb, Richmond, Monroe and Lee, and to provide for the mode of collecting the same, approved January 22d 1852, so far as to include in its provisions the county of Warren.

An act to amend an act entitled an act to compensate the Grand and Petit Jurors in certain counties therein named, and to provide for the payment of the same, approved January 14th, 1852, so far as relates to the county of Warren.

A bill to be entitled an act to alter and amend the second section of an act to lay out a new county from the counties of Talbot, Macon and Marion, and to attach the same to a senatorial district, approved January 15th, 1852.

A bill to be entitled an act to compensate Grand and Petit Jurors of the county of Clarké.

A bill to be entitled an act to regulate the collection of Jury fees in the Superior and Inferior courts of the county of Cobb.

The following bill were taken up, read a second time and on motion of Mr. Thornton, was referred to the committee on Internal Improvements, to wit:

A bill to be entitled an act to incorporate the Columbus, Hamilton and LaGrange Railroad company.

The following bills were taken up, read a second time and ordered to be committed for a third reading, to wit:

A bill to be entitled an act to incorporate W. P. Arnold Lodge, No. 82, of free and accepted Masons of Wrightsboro, Columbia county.

A bill to be entitled an act to incorporate the Columbia Mining Company, and to grant certain privileges thereto.

A bill to be entitled an act to allow Billiard Tables to be used in private houses in this State, and the same not to be subject to any tax other than that of household furniture.

A bill to be entitled an act to reduce the Sheriff's bond in the county of Butts.

An act to add lots of land No. 162 and No. 122 in the eleventh district of originally Muscogee, now Marion county, to the county of Talbot.

A bill to be entitled an act to incorporate the Bethany Camp Ground academy, and to appoint trustees for the same.

A bill to be entitled an act to authorize John R. Osburn of the county of Whitfield to practice medicine in this State, to charge and collect for the same.

A bill to be entitled an act declaratory of an act entitled an act to authorize parties to compel discoveries at common law, approved December 17th, 1847, and to settle the practice under the same.

The following bill was taken up and read the second time and on motion of Mr. Mobley was referred to the Judiciary Committee, to wit:

A bill to be entitled an act to regulate the fees of the Ordinaries of this State, and allow them to make out annual returns.

The following bill was read the second time, and upon motion of Mr. Mobley, made the special order for the fourth of June next, to wit:

A bill to be entitled an act to repeal an act, approved 22d January, 1852, entitled an act to repeal the first section of an act approved 19th December, 1849 respecting the importation of slaves into this State.

The following bills were taken up, read a second time and ordered to be committed for a third reading, to wit:

A bill to be entitled an act to amend an act entitled an act to provide for the education of the poor, approved January 22d, 1852, so as to compensate the persons who shall be ap-



pointed by the Ordinary of the Militia Districts to give him information respecting the poor children, under the provisions of the 6th section of the above recited act, and for other purposes.

A bill to be entitled an act to revive, re-enact, and continue in force an act entitled an act to authorize and require the Sheriffs, Coroners, Clerks of the Superior an Inferior courts and courts of Ordinary, in the several counties in this State, to advertise in certain newspapers, approved February 22d, 1850.

A bill to be entitled an act to authorize Christian Rauschenberg, of the county of Whitfield, to practice medicine and surgery in all their branches in any county of this State. and to charge and collect for the same without license from the medical board of this State.

The following bill was taken up and read a second time, on motion of Mr Walker, was made the special order for the 24th of June next, to wit :

A bill to be entitled an act to repeal the amendatory act, approved December 30th, 1851, to prevent the killing of deer at certain periods in the county of Richmond.

The following bill was taken up, read the second time and on motion of Mr Cleveland of Habersham was referred to the Judiciary committee, to wit :

A bill to be entitled an act to alter the laws of this State in relation to the duties of appraisers of estates, and for other purposes therein mentioned.

The followings bills were taken up, read a second time, and ordered to be committed for a third reading, to wit :

A bill to be entitled an act for the incorporation of the town of Buena Vista in Marion county, Geo.

A bill to be entitled an act to alter and change the name of Wm. H. Austin to that of Wm. H. Brag.

A bill to be entitled an act to amend an act entitled an act to carry into effect the amended constitution of this State in reference to the Ordinaries, and for other purposes, assented to on the 21st of January. 1852, and for other purposes.

A bill to be entitled an act to amend an act entitled an act to compel the several banks of this State to redeem their liabilities in specie, and to provide a forfeiture of such as may refuse, assented to on the 18th of December, 1840.

A bill to be entitled an act to appropriate money for the purposes therein specified.

A bill to be entitled an act to prohibit slaves and free persons of color from acting as agent, clerk or bar-keeper in any retail shop in this State.

A bill to be entitled an act to incorporate the Washington and Petersburg Railroad company.

A bill to be entitled an act to incorporate the Wilkes plank or rail road company.

A bill to be entitled an act to amend the several laws now in force in relation to free persons of color, and to exonerate and discharge certain free persons of color from all pains, penalties and forfeitures heretofore incurred, and to which they are subject and liable.

A bill to be entitled an act to give to the Judges of the Superior Courts of this State the discretion of commuting the penalty of death to imprisonment in Penitentiary for life, upon the recommendation of the Jury in all convictions for offences punishable by death.

A bill to be entitled an act to exempt from levy and sale, under and by virtue of any fi. fa. or attachment founded upon any contract hereafter made, one negro of each and every debtor.

A bill to be entitled an act to allow parties to suits in Justices Courts in this State to prove their accounts by written affidavit in certain cases hereinafter named, so as to dispense with their personal attendance, and for other purposes.

A bill to be entitled an act to appropriate the State tax for the year 1854, of Scriven county, as a permanent fund to and for the use and benefit of Scriven county Academy, Paris Hill Academy and Bascom Academy, all in said county.

A bill to be entitled an act to incorporate Villa Ricca Lodge, No. 72, and Tallapoosa Lodge, No. —. of Free and Accepted Masons.

A bill to be entitled an act to prevent persons owning or working steam saw mills on or near the Ogeechee River from obstructing the same by throwing or putting in it sawdust or slabs or other rubbish, and to punish those who may violate the provisions of this act, and for other purposes.

A bill to be entitled an act to incorporate the Baptist Church in the city of West Point in the county of Troup, and appoint trustees for the same.

Mr. Harden moved to adjourn until half past nine o'clock to-morrow morning.

Upon which motion, the yeas and nays were required to be recorded, upon the call of Mr. McDougald, and are: yeas 31, nays 45.

Those who voted in the affirmative, are Messrs.

Arnold,	J. Hardin,	Maxwell
Armstrong,	Hardeman,	Mays
Bostwick,	Holland,	McCurdy,
Cameron,	Irwin,	McLean,
Denham,	Latham	McMullin,
Fannin.	Linn,	McWhorter,
W. P. Harden,	Masters,	Moughon

Nichols	Richardson	W A. Walton,
Redding,	Strickland,	Williamson,
G: R. Reid,	Turner,	
Rice,	J, H, Walton,	

Those who voted in the negative are, Messrs.

Adams,	Headen,	W R. Smith,
Alread,	Henderson,	Stapleton,
Andrews,	Hudson,	Stephens,
Bell,	Mangham,	J Stewart
Clark,	Manor,	Stokes,
Benj. Cleveland,	McDougald,	J. Taylor,
Clements,	Mobley.	D. W. Taylor,
Durden,	Paris,	Thornton,
Eberhart,	Pickett,	Trice,
Fields,	Poole,	Walker,
Fish,	Pottle,	Whitworth,
Griffin,	Powers	H. L. Williams,
Gross,	M. Reid,	Williford,
Harrall,	Riley,	Young.
Hays,	Shewmake,	Yopp.

So the motion to adjourn was lost.

A bill to be entitled an act to refund to W. W and F D. Ross a certain amount of money.

Mr. Hardeman moved to adjourn until half-past nine o'clock to-morrow morning.

Upon which motion, the yeas and nays were required to be recorded, and are : yeas 43, nays 27

Those who voted in the affirmative are Messrs.

Arnold,	Latham,	Rice,
Armstrong,	Mangham,	Richardson,
Bell,	Masters,	Stephens,
Bostwick,	Maxwell,	Stokes,
Cameron,	Mays,	Strickland,
Carlton,	McCurdy,	J. Taylor,
Denham,	McLean,	D. W. Taylor
Eberhart,	McMullin,	Turner,
Fannin,	McWhorter,	J H Walton,
Griffin,	Mobley,	W A. Walton.
W. P Harden,	Moughon,	Walker,
J. Harden,	Poole,	H. L. Williams,
Hardeman,	Pottle,	Yopp.
Holland,	Redding,	
Irwin,	M. Reid,	

Those who voted in the negative are, Messrs.

Adams,	Headen,	Shewmake,
Alread,	Henderson,	W R. Smith,
Anderson,	Hudson.	Stapleton,
Clark,	Manor,	J. Stewart,
Benj. Cleveland,	McDougald,	Thornton,
Fields,	Nichols,	Trice.
Fish,	Paris,	Whitworth,
Gross.	Pickett,	Williamson,
Harrall,	Riley,	Young.

So the motion was agreed to.

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## TUESDAY, JANUARY 24th, 1854.

The House met pursuant to adjournment.

Mr. Cleveland of Habersham gave notice that he would move to reconsider so much of the Journals of yesterday as relates to the amendment offered to the tax bill by Mr. Phillips, laying a tax on all houses contiguous to any city, town or village, above the value of one thousand dollars.

Mr. Williams of Sumter moved to suspend the rules of the House to take up a bill to change the time of holding certain Supreme and other Courts; which motion was lost.

Mr. Alread moved to suspend the rules of the House, to take up his resolution in reference to an adjournment on Saturday, 28th instant: which motion was lost.

The House then proceeded to the consideration of the unfinished business of yesterday, which was the tax bill.

Pending which, the following message was received from his Excellency the Governor, by Mr. Briscoe, his Secretary:

*Mr. Speaker*—The Governor has signed and approved an act, being an act to pardon James D. L. Register, of the county of Troup, now under sentence of death for the crime of murder, which is deposited in the office of the Secretary of State.

The House proceeded with the business before it, and Mr. Cleveland of Habersham, moved to strike out 'January,' and insert 'March' in lieu thereof, from the 6th Section; which was agreed to.

Mr. McLean moved to amend by striking out 'two cents,' and inserting 'one cent' in lieu thereof, as a tax upon cattle; which was agreed to.

Pending which, the following message was received from the Senate, by Mr. Moore, their Secretary:

*Mr. Speaker*—The Senate has passed the following bills, to-wit :

A bill to incorporate the Athens Building and Loan Association, and to extend the corporate limits of Monroe in Walton county. Also,

A bill to amend the laws relative to electing Judges of the Superior Courts of this State. Also,

A bill to repeal the 2d Section of an act entitled an act to change the line between the counties of Floyd and Chattooga, and to change the line between the counties of Putnam and Jasper, so as to include the residence of Duncan McKissack in the county of Jasper. Also,

A bill to amend the 21st Section of an act, appaoved 21st January, 1852, relative to the duties of Ordinaries. Also,

A bill to provide for the adjournment of the Superior Courts of this State, in certain cases. Also,

A bill to alter and amend a part of the 1st Section of the 3d Article of the Constitution. Also,

A bill to amend the processioning laws of this State — Also,

A bill to reduce the Sheriff's bond of Camden county.— Also,

A bill to repeal an act to regulate the fees of Attorneys and Solicitors General. Also,

A bill to repeal an act to alter and amend the road laws of this State, so far as relates to Thomas county.

The Senate has also receded from its amendment to the bill of the House of Representatives for the relief of William Taylor of Coweta county, in which the House of Representatives refused to concur.

The House then resumed its regular business.

*Mr. Hardeman* moved to strike out the Section in reference to the tax upon cattle ; which motion was lost.

The question then recurred upon the adoption of the 7th Section.

Whereupon, the yeas and nays were required to be recorded, and are : yeas 75, nays 27.

Those who voted in the affirmative are, Messrs.

Adams,	Clark	Fish,
Alread,	Benj. Cleveland,	Grant,
Arnold,	Clements,	Griffin,
Armstrong,	Cody,	Gross,
Bell,	Crawford,	James Hardin,
Boatright	Denham,	Harris,
Bridges,	Eberhart,	Harrison,
Brown,	Fannin,	Hays,
Cameron,	Fields,	Headen,

Henderson,	Moody.	G. K. Smith,
Holland,	Moughon,	W. R. Smith,
Hudson,	Nichols	Stapleton,
Irwin,	Paris,	Stephens,
Keith,	Pickett,	L. S. Stewart,
Latham,	Poole,	J. Stewart,
Leverett,	Pottle,	Strother
Linn,	Powers,	Trice,
Masters	Redding,	Turner,
Maxwell,	M. Reid,	W. A. Walton,
Manor,	Rice,	Walker,
Mays	Richardson	Whitworth,
McGregor,	Riley,	A. J. Williams,
McLean,	N. Robinson,	H. L. Williams,
McMillan,	Rowell,	Wilson
McWhorter,	J. C. Smith,	Williford,

Those who voted in the negative are Messrs.

Andrews.	Mangham	Staten,
Carlton,	McDonald,	Strickland,
Durden,	McDougald,	Sweat,
Dial,	McMullin,	J. Taylor,
W. P. Hardin,	Powell	Thornton,
Harrall	Radford	West,
Hatton.	G. R. Reid,	Williamson,
Hardeman,	Shine.	Young,
Hamilton,	Wm. Smith,	Yopp.

So the section was adopted.

Mr. Cleveland of Habersham, moved to amend the section in reference to taxing Stallions and Jacks, by adding the the words "all over four years old," which was agreed to.

Mr. Alread moved to amend the above section, by adding the words, "kept as a covering horse or Jack;" which was agreed to.

Mr. Sweat moved to amend by striking out "five dollars," and inserting in lieu thereof, "price of the season for one mare;" which was agreed to.

The question then recurred upon adoption of the section, as amended; which was agreed to.

Mr. Shewmake offered the following amendment, which was agreed to, to wit:

"SEC. 1. That there shall be levied on each kept and used race track within this State, the annual tax of one hundred dollars; also, a tax of two mills per head on all flocks of sheep, over and above one hundred in number."

Mr. McCurdy moved to strike out that portion in reference to sheep.

Upon which motion the yeas and nays were required to recorded and are : yeas 32, nays 62.

Those who voted in the affirmative are Messrs.

Alread,	Harrison	Pickett,
Anderson,	Harrall,	Pottle,
Arnold,	Hatton,	Reynolds,
Armstrong,	Hays,	Shine,
Bostwick,	Hawkins,	W. R. Smith,
Champion,	Irwin,	Walker,
Clark,	Latham,	Whitworth.
Cody,	Linn,	Wilson,
Crawford,	McCurdy,	Young,
Dawson,	McLean,	Yopp.
James Hardin,	Paris	

Those who voted in the negative are, Messrs.

Adams,	Hudson,	Richardson,
Bell,	Mangham,	Riley,
Boatright,	Maxwell,	N. Robinson,
Bridges,	Manor,	Rowell,
Calloway,	Mays,	Shewmake,
Cameron,	McComb,	G. K. Smith,
Benj. Cleveland,	McDonald,	W. Smith,
Durden,	McGregor,	Stapleton,
Dial,	McMillan,	Staten,
Eberhart,	McMullin,	L. S. Stewart,
Fannin,	Mobley,	J. Stewart,
Fields,	Moody,	Strickland,
Grant,	Nichols,	Strother
Griffin,	Phillips,	Sweat,
Gross,	Poole,	Trice,
W. P. Harden,	Powers,	Turner,
Harris,	Radford,	W. A. Walton,
Hardeman,	Redding,	West,
Headen,	G. R. Reid,	Williamson,
Henderson,	M Reid,	Williford,
Holland,	Rice,	

So the motion was lost.

Mr. Durden offered to amend the foregoing section, by adding the words following, to wit : "And all dogs more than two kept on one farm, be taxed one dollar per head."

The section, as amended, was then adopted.

Mr. Gartrell offered to amend the 9th Section, by adding the words, "and all note shavers;" which was adopted.

Mr. Walker moved to amend the section, by striking out "thirty-three cents," (poll tax); which was agreed to.

Mr. Redding then moved to fill up the space with "forty-five cents."

Upon which motion, the yeas and nays were required to be recorded, and are : yeas 66, and nays 37.

Those who voted in the affirmative are, Messrs.

Adams,	Holland,	G. R. Reid.
Alread,	Hudson,	M. Reid.
Anderson,	Keith,	Reynolds,
Boatright	Latham.	Rice.
Calloway,	Leverett,	Riley,
Benj. Cleveland,	Linn,	N. Robinson,
Cody,	Masters.	W R. Smith,
Crawford,	Maxwell,	W Smith,
Denham,	Manor,	Staten,
Durden,	McCurdy,	Stephens,
Dial,	McDonald,	J. Stewart,
Fannin,	McDougald,	Strickland,
Fields,	McGregor	Strother,
Grant,	McLean,	Sweat,
Griffin,	Mobley,	J. Taylor.
Gross.	Moody.	Trice,
W. P Harden,	Nichols.	J. H. Walton,
Harris,	Paris,	Whitworth.
Harrall,	Pickett,	H. L Williams,
Hays,	Powers,	Williamson.
Headen	Radford,	Young,
Henderson,	Redding,	Yopp.

Those who voted in the negative are Messrs.

Arnold,	Hawkins,	Shine,
Armstrong,	Irwin,	G. K. Smith,
Bell,	Lamar,	Stapleton,
Bridges,	Mangham,	L. S. Stewart,
Cameron,	Mays,	Thornton,
Carlton,	McComb,	Turner,
Champion,	McMullin,	W. A. Walton,
Clark.	McWhorter,	Walker,
Dawson,	Moughon,	West.
James Hardin,	Phillips,	A. J. Williams,
Harrison.	Pottle,	Wilson,
Hatton,	Rowell,	
Hardeman,	Shewmake,	

So the motion to insert was agreed to.



Mr Harrall offered the following additional section, in reference to the mines, to wit :

*“And be it further enacted, That all persons owning gold mines, silver mines, copper mines or lead mines shall pay a tax of ten cents on every hundred dollars value of such mine or mines.”*

Mr. Walker moved to amend, by requiring miners to pay ten cent on the net income of said mines ; which was agreed to.

Upon the adoption of the sections, as amended. the yeas and nays were required to be recorded, and are : yeas 84, nays 19.

Those who voted in the affirmative are, Messrs.

Anderson,	Harrison,	Radford,
Andrews,	Harrall,	Redding,
Arnold,	Hatton,	G R. Reid,
Armstrong,	Hays,	M. Reid,
Bell,	Hamilton,	Reynolds,
Bostwick,	Henderson,	Richardson,
Boatright,	Hudson,	N Robinson,
Bridges,	Latham,	Shewmake,
Brown,	Leverett,	Shine,
Calloway,	Mangham,	W. R. Smith,
Cameron,	Masters,	Stapleton,
Carlton,	Maxwell.	Staten,
Champion,	Mays,	Stephens,
Benj. Cleveland,	McCurdy,	L. S. Stewart,
Cody,	McDougald,	J. Stewart,
Crawford,	McGregor,	Strickland,
Dawson,	McLean,	Strother.
Denham,	McMillan,	Sweat,
Durden,	McMullin,	J. Taylor,
Dial,	McWhorter,	Trice,
Eberhart,	Mobley,	J. H. Walton,
Fish,	Moody,	W. A. Walton,
Grant,	Moughon,	Whitworth.
Griffin,	Nichols,	H. L. Williams,
Gross,	Paris,	Williamson,
W. P. Harden,	Poole,	Wilson
James Hardin,	Powell,	Williford,
Harris,	Powers,	Yopp,

Those who voted in the negative are, Messrs.

Adams,	Fields,	Hawkins,
Alread,	Gartrell,	Headen,
Clark,	Hardeman,	Irwin,

Keith,	Riley,	West,
Manor	G. K. Smith,	A. J. Williams,
Pickett,	Thornton,	Young.
Rice,	Walker,	

So the motion to amend was adopted.

Pending which, Mr. Gartrell, from the Committee on Enrollment reported the following bill as duly enrolled wit :

An act for the building and constructing of a Rail Road from the town of Athens to or near the town of Clayton, Rabun county, so as to strike the Blue Ridge Rail Road such point as the stockholders may determine. Also, to extend the Thomaston and Barnesville Rail Road to Geneva or some other point on the Road of the Muscogee Railroad Company, and for other purposes.

The House resumed the regular business, and Mr. Crawford offered the following amendment, to wit :

*"And be it further enacted, On every gold watch, not kept as merchandise, seventy-five cents, and on every silver other watch, not kept as merchandise, thirty-seven and one-half cents."* which motion was lost.

Upon the question of the adoption of the section, amended, the yeas and nays were required to be recorded and are : yeas 31, and nays 68.

Those who voted in the affirmative are, Messrs.

Adams,	Henderson,	M. Reid,
Alread,	Hudson,	Riley,
Calloway,	Keith,	Strickland,
Benj. Cleveland,	Linn,	Sweat,
Crawford,	McCurdy,	J. Taylor,
Denham,	McGregor,	Turner,
Dial,	McLean,	Whitworth,
James Hardin,	Mobley,	Williamson,
Harrall	Paris,	Young,
Hatton,	Phillips,	
Hamilton,	Pickett,	

Those who voted in the negative are, Messrs.

Andrews,	Cameron,	Eberhart,
Arnold,	Carlton	Fannin,
Armstrong,	Champion,	Fields,
Bell,	Clark,	Gartrell.
Bostwick,	Clements	Griffin,
Boatright,	Cody,	Gross,
Bridges	Dawson,	W. P. Harden,
Brown,	Dubignon,	Harrison,

Moody,	Hardeman,	Shine
Hays,	Moughon,	Stapleton,
Hawkins,	Nichols,	Staten,
Headen,	Poole,	Stephens.
Holland,	Pottle,	L. S. Stewart,
Irwin,	Powell,	J. Stewart,
Latham,	Powers	Stokes,
Leverett,	Radford,	Strother,
Masters,	Redding,	Thornton,
Manor,	G. R. Reid,	W. A. Walton,
Mays,	Reynolds,	West,
McDonald,	Rice,	H. L. Williams,
McMillan,	Richardson,	A. J. Williams,
McMullin,	N. Robinson,	Williford,
McWhorter	Rowell	Yopp.

So the motion to adopt was lost.

Mr. Thornton moved that the bill, substitutes and amendments be laid on the table for the balance of the session.

The motion being discussed, Mr. Thornton then moved the previous question.

Upon which call be required the yeas and nays to be recorded, which are : yeas 63, and nays 42.

Those who voted in the affirmative are Messrs.

Anderson,	Hatton,	Rowell,
Andrews,	Hardeman,	Shewmake,
Armstrong,	Hamilton,	Shine,
Bell,	Irwin,	W. R. Smith,
Bostwick,	Jones	W Smith,
Bridges,	Lamar,	Staten
Brown,	Latham,	L. S. Stewart,
Cameron,	Leverett,	J. Stewart,
Carlton	Maxwell,	Strickland,
Champion,	Mays,	Sweat,
Clark,	McCurdy,	Thornton,
Cody,	McMillan,	Trice,
Dawson.	McMullin,	Turner,
Durden,	McWhorter.	J. H. Walton,
Dial,	Mobley,	W. A. Walton,
Eberhart	Moughon,	Walker,
Fannin,	Nichols,	A J Williams
W P Harden,	Phillips.	H. L. Williams,
J. Hardin,	Powers	Wilson,
Harrison,	M. Reid,	Young,
Harrall	Reynolds,	Yopp.

Those who voted in the negative are, Messrs.

Adams,	Headen,	Radford,
Alread,	Henderson,	Redding,
Arnold,	Hudson,	G. R. Reid,
Boatright,	Keith,	Rice,
Benj. Cleveland.	Linn,	Richardson,
Clements	Manor,	Riley,
Crawford,	McDonald,	N. Robinson,
Denham,	McGregor,	Stapleton,
Fields,	McLean,	Stokes,
Gartrell,	Moody,	J. Taylor,
Griffin,	Paris,	West,
Gross,	Pickett,	Whitworth,
Harris,	Poole,	Williamson
Hays,	Powell,	Williford,

So the motion was agreed to.

Upon the question, "Shall the main question be now put the yeas and nays were required to be recorded—at the call of Mr. Pickett—and are : yeas 69, and nays 37.

Those who voted in the affirmative are, Messrs.

Anderson,	Hardeman,	Reynolds,
Andrews,	Hawkins,	Richardson,
Armstrong.	Hamilton,	Rowell
Bell,	Irwin,	Shewmake,
Bostwick	Jones,	Shine,
Bridges,	Lamar,	G. K. Smith,
Brown,	Leverett,	W. R. Smith,
Cameron,	Mangham,	W. Smith,
Carlton,	Maxwell,	Staten,
Champion,	Mays,	J. Stewart,
Clark,	McCurdy,	Strickland,
Cody,	McDonald,	Strother,
Dawson	McMillan,	Sweat,
Durden,	McMullin,	J Taylor
Dial,	McWhorter,	Thornton,
Eberhart,	Mobley,	Trice,
Fannin,	Moughon,	J. H. Walton,
Green	Nichols,	W. A. Walton,
W P Harden,	Phillips,	Walker
Harris,	Poole,	West,
Harrison,	Pottle,	H. L. Williams,
Harrall	Powers.	Wilson,
Hatton,	M. Reid,	Yopp,

Those who voted in the negative are Messrs.

Alread,	Holland,	Redding,
Arnold,	Hudson,	G. R. Reid,
Boatright,	Keith,	Rice,
Benj. Cleveland,	Latham	Riley,
Clements,	Masters,	N. Robinson,
Crawford,	Manor,	Stapleton,
Denham,	McGregor,	Turner,
Fields,	McLean,	Whitworth
Gartrell,	Moody	A. J. Williams,
Gross,	Paris,	Williamson.
Hays,	Pickett,	Young,
Headen,	Powell,	
Henderson,	Radford,	

So the motion was agreed to.

The main question being put, which is, "Shall the bill, substitutes and amendments be laid upon the table for the balance of the session?" the yeas and nays were required to be recorded—at the call of Mr. Pickett—and are : yeas 56, and nays 59.

Those who voted in the affirmative are, Messrs

Anderson	Hamilton,	Shine,
Andrews	Irwin,	G. K. Smith
Bostwick,	Jones,	W. R. Smith,
Bridges	Lamar	W. Smith
Carlton	Maugham	Staten
Champion	Maxwell	L S Stewart.
Clark	Mays,	J Stewart
Cody,	McCurdy,	Stokes,
Durden	McDonald	Strickland,
Dial	McMullin,	Strother
Eberhart	Mc Whorter	Sweat,
Grant,	Moughon,	Thornton,
Green	Phillips	Trice,
W. P. Harden,	Pottle	W A. Walton
J. Hardin,	Powers,	J. H. Walton
Harrison	M. Reid	Walker,
Harrall	Reynolds,	H. L. Williams,
Hatton,	Rowell	Wilson.
Hardeman	Shewmake	

Those who voted in the negative are, Messrs.

Adams	Arnold,	Boatright.
Alread	Armstrong	Calloway,

Cameron	Hudson	Redding,
Benj. Cleveland	Keith,	G. R. Reid,
Clements	Lathem	Rice
Crawford,	Leverett	Richardson
Dawson,	Linn	Riley
Denham	Masters	N. Robinson,
Fannin,	Manor,	Stapleton,
Fields,	McGregor	Stephens,
Fish,	McLean,	J. Taylor
Gartrell	McMillan	Turner,
Griffin,	Mobley	West
Gross	Moody	Whitworth
Harris	Nichols	A. S. Williams
Hays	Paris,	Williamson,
Hawkins,	Pickett	Williford,
Headen	Poole,	Young
Henderson	Powell	Yopp
Holland	Radford,	

So the question was lost.

Mr. Pickett moved to amend the bill, by adding a section taxing all household furniture, above the amount of five hundred dollars.

Upon which question Mr. Pickett required the yeas and nays to be recorded, which are : yeas 35, nays 52.

Those who voted in the affirmative are Messrs.

Alread,	McMillan,	W R Smith,
Clements,	Mobley,	W Smith,
Fields.	Paris,	Staten,
Gartrell,	Phillips	Strother,
Hardeman	Pickett,	Sweat,
Hays,	Powell,	J. Taylor
Hamilton,	Redding	Whitworth.
Headen,	G. R. Reid	A J Williams
Jones,	M. Reid,	Williamson
Keith,	Reynolds,	Young.
McCurdy,	Riley.	Yopp.
McLean,	G K Smith	

Those who voted in the negative are, Messrs.

Andrews,	Bridges,	Clark
Arnold	Brown	Benj. Cleveland,
Armstrong,	Cameron,	Cody,
Bell	Carlton,	Dawson,
Bostwick	Champion	Denham,

Durden ,	Mays,	Stephens,
Eberhart	McDonald,	L S Stewart,
Fish,	McGregor,	J. Stewart,
Grant,	McMullin,	Turner,
Gross	McWhorter	W A Walton
W. P Harden	Moody.	J. H. Walton,
Harris,	Moughon	Walker,
Harrison	Nichols,	West
Hatton,	Powers	A J Williams,
Linu	Radford,	Wilson
Mangham,	Rowell	Williford
Masters,	Shewmake,	
Manor,	Stapleton,	

So the motion was lost.

Pending which, the following message was received from the Senate, by Mr. Moore, their Secretary :

*Mr. Speaker*—The Senate has passed the following bills, to wit :

A bill to admit to record certain instruments, and to authorize oaths to be administered by certain persons therein named. Also,

A bill for the relief of John Piles.

A bill to incorporate the town of Irwinton, in the county of Wilkinson, and to provide for the election of Intendant and Commissioners therefor, and to define their powers and duties. Also,

A bill to authorize Robt. D. McElven, of the county of Decatur, and J. M. Sessions and Ezeriah Ennis, of Scriven county, and Needham Anger, of Fulton county, and E. G. Doyle, of Baldwin county, to practice medicine and receive compensation for the same. Also,

A bill to amend an act to incorporate the city of Griffin, assented to December 28th, 1843, and to repeal an act to alter and amend the several acts incorporating the same, assented to February 21st, 1850. Also,

A bill to make permanent the site of the public buildings in the county of Emanuel, at the town of Paris, and to incorporate the same, and to change the name of Swainsboro to that of Paris, and for other purposes.

The House having resumed its business, Mr. Phillips moved to amend the 11th Section, by striking out after the words, "lottery tickets," the words, "other than those authorized by the laws of this State;" which was agreed to.

The section, as amended, was then adopted.

Mr. Walker moved to strike out the 12th Section, and insert in lieu thereof, the following, to wit :

*"And be it further enacted,* That all money uninvested and all notes or other written evidences of debt against solvent debtors, including judgments, executions, bonds and

mortgages, shall be taxed ten cents on every hundred dollars of the amount thereof:" which motion was agreed to.

Mr. Hardeman offered the following amendment, to wit :

*"And be it further enacted, That all distilleries of ardent spirits, for the purpose of sale, in this State, be taxed the sum of twenty-five dollars each."*

Pending which, on motion of Mr. Trice, the House adjourned until three o'clock, P. M.

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### THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

The House proceeded with the unfinished business of the morning session.

Mr. Walker moved to amend the bill, by striking out the 15th Section, and inserting the following section, in lieu thereof, to wit :

*"And be it further enacted, That persons or companies, whether incorporated or not, whose capital is employed in manufacturing cotton or woollen fabrics, flour, machinery or any other article, commodity, or thing whatever, shall be taxed ten cents on every hundred dollars of such capital over and above five thousand dollars ;"* which amendment was adopted.

Pending the discussion, the following report of the Special Committee, on the memorial of James J. Scarborough, Esq., praying for the impeachment of the Hon. Abner P. Powers, was taken up and read, to wit :

The Select Committee, to whom was referred the memorial of James J. Scarborough, preferring charges against the Hon. Abner P. Powers, Judge of the Macon Circuit, report that they entered upon the investigation committed to them under a full sense of their obligation to scrutinize with jealous care the conduct of a public servant which had been brought in question, and at the same time, with a due regard to the individual accused. Both parties were present during the investigation, and exercised, to the fullest extent, the right of cross examining all the witnesses who were brought before the committee. The evidence was all reduced to writing, and is herewith communicated to the House. The first charge which the committee had under consideration was as follows, to wit : that the said Judge on the 14th day of October, 1853, took from the Clerk's Office a certain bill of exceptions, writ of error, citation and notice, signed by him, the said Judge, served on State's Council and filed in the Clerk's Office, and retained the same in his possession thirteen days, and that whilst in possession of the said bill



of exceptions did, wilfully, knowingly and intentionally alter, change and falsify the said bill of exceptions, by withdrawing two leaves therefrom and substituting in lieu thereof, three leaves, in his own hand writing, and then retained the two leaves originally signed and certified by him, in his official capacity, as part of the bill of exceptions; and caused the bill of exceptions to be returned back to the Clerk of the Superior Court of Dooly county, as altered, changed and falsified as aforesaid—said alteration being very important and material, and prejudicial to the right of the said Henry Hodges—and that said Judge has caused the Clerk of Dooly Superior Court to certify the bill of exceptions, and forward it in its altered, changed and falsified form; which bill of exceptions is not as it originally was certified, served and filed, and which does not contain a true history of the trial on charge of Judge Powers, as originally signed and certified by him.

From the evidence submitted in relation to this charge, the following facts were developed: On Friday morning Mr. Scarborough presented to Judge Powers, whilst on the bench and engaged in business of the Court, a bill of exceptions, which he requested him to certify. Judge Powers objected to signing so important a paper whilst on the bench and whilst members of the bar were pressing their business, but Mr. Scarborough urged as a favor to himself, that he would sign it, as he wished to leave for home after dinner, whereupon the Judge then took it up and signed it. During the same day, Judge Powers was informed that Mr. Scarborough was boasting that he had "got the Judge" on the bill of exceptions, and that a new trial would be had, in consequence of material mistakes and omissions of facts in the bill of exceptions. It does not appear positively that Mr. Scarborough made the boast in the sense in which it was reported to Judge Powers, but such was the impression made on the Judge's mind. Accordingly, after consultation with the Solicitor General of the Circuit, the Judge in open Court and while on the bench, ordered the Clerk to hand him the bill of exceptions, which he retained in his possession for two weeks, and whilst in possession withdrew therefrom two leaves, and substituted in lieu thereof, three other leaves, containing, as your committee thinks, substantial alterations of the original statement of facts.—The bill of exceptions, as altered, was sent up to the Supreme Court by the Clerk of the Superior Court, as the original bill of exceptions. Your committee are unanimously of the opinion that Judge Powers was not influenced in this matter by base and corrupt motives, but that he was prompted by a desire to correct a partial and false statement of facts, into which he believed that he had been entrapped. It satisfactorily appears to your committee that his sole design,

after consultation with the Solicitor General was to conform the bill of exceptions to the facts of the case. The method which he adopted for the accomplishment of this purpose was, in the opinion of the committee, illegal and unauthorized; your committee, however, respectfully submit that it was a mere judicial error, subject to revision and reversal by a higher judicial tribunal and involving neither official corruption or mental capacity.

The second ground of complaint is as follows: that often and repeatedly during the present term of service of the said Abner Powers, as Judge of the Macon Circuit, in term time and when presiding, he has been so much inebriated and drunken as to disqualify him: that his intellect has been frequently obscured and beclouded and besotted, so much so as not to be cognizant of what he had decided a few minutes before, and especially was this the case at the April Term, 1853, of Houston Superior Court.

In the investigation of this charge, your committee confined the evidence to the time and place specified, to wit: April Term, 1853, of Houston Superior Court. From the evidence thus submitted, your committee feel themselves bound to report that the said charge of intemperance has been substantially supported. It is true that difference of opinion exists among the witnesses, in relation to the extent of the Judge's intoxication, some expressing the opinion that Judge Power's opinion of the law, during that week, did not seem to be affected by intoxication, whilst in the opinion of others, his intoxication was such as wholly to disqualify him for the performance of his duties. But notwithstanding this difference of opinion as to the extent of his intoxication, your committee unanimously agree that the evidence showed an extravagant and continued use of ardent spirits of the said Judge, during the said term.

It is the unanimous opinion of the committee, that such conduct on the part of a high Judicial functionary, tends to prostrate the dignity of the Bench, and to put in peril, the most vital interest of society. But in as much as it was made satisfactorily to appear, and was admitted by the prosecutor and witnesses, that from the term of that court to the present time, embracing a period of eight months, the said Judge has wholly reformed, that his judicial conduct has been marked by uninterrupted sobriety and rectitude; and in view of the fact, that no detriment to the public justice, or injury to the rights of parties litigant has been alleged or proven; your committee recommend no action, and beg to be discharged from all further consideration of the matter. All of which is respectfully submitted.

H. K. GREEN, Chairman.

On motion of Mr Pottle, 150 copies of the foregoing report, and 150 copies of the testimony in the case, were ordered to be printed for the use of the House.

The House resumed the consideration of the unfinished business, and Mr. Redding moved to amend the 17th Section, by striking out the words "actually paid in."

Mr. Phillips moved to amend, by adding after the words "paid in and employed," the words "after the road will have been completed."

Mr. Fannin moved to strike out "twenty," and insert "ten" per cent, in the section relating to tax on Rail Roads; pending, which the following message was received from the Senate, through their Secretary, Mr. Moore, to wit:

*Mr. Speaker*—A Resolution has been agreed to by the Senate, bringing on the election of a Solicitor General for the Southern Circuit, on Wednesday, the 25th instant, to fill the vacancy occasioned by the resignation of P F D. Scarborough, in which they ask the concurrence of the House of Representatives.

The House again resumed the consideration of the unfinished business, and upon the motion to strike out "twenty," and insert "ten" in lieu thereof, the yeas and nays were required to be recorded, at the call of Mr. Fannin, and are: yeas 48, nays 49.

Those who voted in the affirmative are Messrs.

Adams,	W. P. Harden,	M. Reid,
Arnold	Harris,	Richardson,
Armstrong,	Harrison,	Rowell
Bostwick,	Harrall,	Shewmake,
Boatright,	Hardeman,	G. K. Smith
Brown,	Hudson,	W Smith,
Calloway,	Irwin,	Stapleton,
Cameron,	Latham,	Stephens,
Champion,	Leverett,	Stokes,
Clark,	McCurdy,	J. Taylor,
Denham,	McMullin,	Turner,
Eberhart,	McWhorter	W A Walton
Fannin.	Moughon,	Walker,
Fish,	Phillips,	West,
Graut,	Pottle	H. L. Williams,
Gross,	Powers,	A. J. Williams

Those who voted in the negative are, Messrs.

Alread,	Crawford,	Durden
Benj. Cleveland,	Dawson,	Dial,
Cody,	Dubignon	Fields,

Gartrell  
Griffin,  
Hays.  
Headen,  
Henderson  
Keith,  
Linn,  
Mangham,  
Masters,  
Maxwell,  
Manor,  
Mays,  
McDonald,  
McGregor,

McLean,  
McMillan,  
Mobley,  
Moody,  
Nichols,  
Paris,  
Pickett,  
Poole,  
Radford,  
Redding,  
G. R. Reid,  
Reynolds,  
Riley,  
N. Robinson,

W. R. Smith,  
Staten,  
J. Stewart,  
Strickland,  
Strother,  
Sweat,  
Trice,  
J. H. Walton,  
Whitworth,  
Williamson,  
Wilson,  
Yopp.

So the motion was lost.

Mr. McMullin moved to suspend the rules, to take up the joint resolution to bring on the election of a Solicitor General of the Southern Judicial Circuit: which was agreed to.

The following resolution was then taken up, read and concurred in, to wit:

*"Resolved,* That the General Assembly do meet on Wednesday next, the 25th instant, in the Representative Hall, and proceed to the election of a Solicitor General for the Southern Judicial Circuit, to fill the vacancy occasioned by the resignation of P. F. D. Scarborough."

Mr. Walker moved to amend Section 18th, by striking out "the specific tax" and insert "one-fourth of one per cent, on the value thereof;" which was agreed to.

Mr. Williams of Sumter, moved to amend the 24th Section by adding the following words, to wit:

*"Provided,* The receivers of tax returns shall make a return of their digest, to the Comptroller General's office, on or before the first day of August, in each year, instead of the first of July, as now required by law;" which was agreed to.

Mr. Mobley moved to amend, by striking out the words "oaths to be taken by each taxpayer," and insert his amendment in words following, to wit:

*"And be it further enacted by the authority aforesaid,* That the receiver of tax returns throughout this State, shall administer to each and every person giving in his or her taxables, the following oath, to wit: You do solemnly swear or affirm, (as the case may be,) that the account which you now give, is a just and true account of all the taxable property which you were possessed of, held or claimed on the first day of March last, or was interested in or entitled to, either in your own right or the right of any other person or persons, as parent, guardian, executor, administrator, agent or trus-

tee, or in any other manner whatever, to the best of your knowledge and belief, so help you God."

Mr. Walker moved to amend the bill, by adding an additional amendment in reference to reduction of tax upon certain articles therein named, provided an excess of tax is raised; which was adopted.

Mr. Hardeinan moved that the House receive the substitute as amended, in lieu of the original bill offered by Mr. Fields.

Mr. Walker then moved the previous question, and on the question, "Shall the main question be now put?" the same was agreed to.

Mr. Irwin gave notice, that he would offer a substitute for the original bill; which substitute was read.

The question then recurred upon receiving the substitute offered by Mr. Walker, in lieu of the original bill, upon which the yeas and nays were required to be recorded, and are: yeas 52, nays 65.

Those who voted in the affirmative are Mesars.

Andrews,	Harris,	Shewmake,
Armstrong,	Harrall,	Shine,
Bell,	Hardeman,	G. K. Smith,
Brown,	Hudson,	W. R. Smith,
Calloway.	Irwin,	Stapleton,
Cameron,	Lamar,	Stephens,
Carlton,	McCurdy,	L. S. Stewart,
Champion,	McGregor,	Strother,
Clark,	Moody.	J. Taylor,
Benj. Cleveland,	Moughon	Thornton,
Clements	Phillips,	W. A. Walton,
Cody,	Pottle,	Walker,
Dawson	Powers	A. J. Williams,
Fannin.	Redding,	Williamson,
Fish,	M. Reid,	Wilson
Grant,	Richardson.	Williford,
Green,	N. Robinson,	
Gross,	Rowell	

Those who voted in the negative are Messrs.

Adams,	Dial,	Hawkins,
Alread,	Eberhart	Hamilton,
Anderson,	Fields,	Headen,
Arnold	Gartrell,	Henderson,
Bostwick,	Griffin,	Hollaf d,
Bridges,	W P Harden	Jones,
Crawford,	J Hardin,	Keith
Denham.	Harrison,	Latham
Dubignon.	Hatton,	Leverett
Durden,	Hays,	Linn,

Mangham,	Pickett,	Strickland,
Masters,	Poole,	Sweat,
Maxwell,	Powell.	D. W. Taylor,
Manor,	Radford,	Trice,
Mays,	G R Reid	Turner,
McDonald	Reynolds.	J. H. Walton,
McLean,	Rice,	West.
McMillan	Riley,	Whitworth,
McWhorter,	W. Smith,	H. L. Williams,
Mobley,	Staten	Young,
Nichols,	J Stewart	Yopp.
Paris,	Stokes,	

So the motion was lost.

The following message was received from His Excellency the Governor, through Mr. DeGraffenreid, his Secretary:

*Mr. Speaker*—I am directed by the Governor, to transmit to this branch of General Assembly, a communication in writing, which on motion was taken up and read as follows, to wit:

EXECUTIVE DEPARTMENT, }  
Milledgeville, Geo., January, 24th, 1854. }

*To the House of Representatives:*

A Central Bank seven per cent bond for five hundred dollars, has fallen due this day, and has been presented to the treasury for payment. There is no fund in the treasury, subject by Legislative appropriation to pay it, but rather than permit a shade of censure to rest upon the credit of the State, I have taken the responsibility of instructing the treasury to pay it, not doubting that the General Assembly, will make ample appropriation to pay not only that bond, but all others that may fall due, during the years 1854 and 1855, of the seven per cent bonds outstanding; \$46,500 will fall due in the year 1854 and 1855.

The presentment of the one which elicits this communication: together with the fact that there is no appropriation to meet it, affords a tangible and striking illustration of the necessity of prompt action on the part of the present Legislature. My immediate predecessor in his annual message, recommended that the Executive be authorized to take up these bonds and issue regular State bonds in their stead, provided satisfactory arrangements can be made with the present holders of them. This recommendation meets the sanction of my deliberate judgment, but if adopted by the Legislature, it will not dispense with the necessity of making an appropriation to pay such as may fall due in 1854 and 1855; for there is no certainty that the holders will

agree to such conditions, and in the event of their refusal, funds should be provided to pay them. The appropriation will not of itself necessarily take a dollar from the treasury ; it will remain there unless needed to pay the bonds—it will not be needed if the holders will consent to the commutation upon the terms prescribed by the Legislature. In a word, only so much of such appropriation will be used, as will be needed to pay such bonds, as cannot be commuted, as they shall fall due and be presented for payment. If however the Legislature should not adopt the recommendation of commutation, the necessity for the prompt appropriation of \$46,500 besides interest, is indispensable.

#### HERSCHEL V. JOHNSON.

On motion of Mr. Phillips, the communication from his Excellency the Governor, was referred to the Committee on Finance.

Mr. Thornton moved to lay the substitute and original tax bill, upon the table for the balance of session ; pending which, Mr. Gartrell from the Committee on Enrolment, reported as duly enrolled, an act for the relief of William Taylor of Coweta county, and for other purposes.

Mr. Cody called for the previous question, which was to lay the substitute and original bill upon the table for the balance of the session ; which call was sustained, and upon the motion, "Shall the main question now be put?" it was decided in the affirmative ; the question then recurring upon the motion to lay the substitute and bill upon the table for the balance of the session, the yeas and nays were required to be recorded, and are : yeas 62, nays 56.

Those who voted in the affirmative are, Messrs.

Anderson	Hatton	Powers
Andrews	Hardeman	M Reid
Armstrong	Hays	Reynolds
Bostwick	Hamilton	Richardson
Brown,	Irwin	N Robinson
Carlton	Jones	Rowell
Champion	Lamar	Shewmake
Clark	Leverett	Shine
Cody	Mangham	G K Smith
Dubignon	Maxwell	W Smith
Dial	McCurdy	Stapleton
Eberhart	McMullin	Staten
Fannin	McWhorter	Stephens
W P Harden	Moughon	L S Stewart
James Hardin	Nichols	J Stewart
Harrison	Phillips	Strickland
Harrall	Pottle	Strother

Sweat	W A Walton	Williamson
D W Taylor	J H Walton	Wilson,
Thornton	Walker	Williford,
Trice,	H L Williams	

Those who voted in the negative are, Messrs.

Adams	Gross	Paris
Alread	Harris	Pickett
Arnold	Hawkins	Poole
Bell	Headen	Powell
Boatright	Henderson	Radford
Bridges	Holland	Redding
Calloway	Hudson	G R Reid
Cameron	Keith	Rice
Benj Cleveland	Latham	Riley
Clements	Linn	W R Smith
Crawford	Masters	Stokes
Dawson	Manor	J Taylor
Denham	Mays	Turner
Durden	M Donald	West
Fields	M Gregor	Whitworth
Fish	M Lean	A J Williams
Gartrell	M Millan	Young
Grant	M obley	Yopp
Griffin	Moody	

So the motion prevailed.

Mr. Walker moved that the House adjourn, until 9 o'clock, to-morrow morning; upon which motion Mr. Walker required the yeas and nays to be recorded, which are : yeas 46, nays 52.

Those who voted in the affirmative, are Messrs.

Adams,	Harrall,	Moughon,
Bell,	Hatton,	Phillips,
Calloway,	Hardeman,	Pickett.
Benj. Cleveland,	Hawkins,	Poole,
Clements	Hamilton,	Pottle,
Cody,	Holland,	Powell,
Crawford,	Lamar,	Powers.
Dawson,	Masters,	Riley,
Dial,	McDonald,	Rowell
Gartrell,	McGregor	Shine,
Grant,	McMillan,	G. K. Smith,
Harris,	Moody,	Stapleton,



L. S. Stewart,	Sweat.	A. J. Williams,
Stokes	Thornton,	Wilson,
Strickland,	West,	Williford,
Strother,	Whitworth,	

Those who voted in the negative are Messrs.

Alread,	Headen,	Richardson,
Anderson,	Henderson,	N. Robinson,
Andrews	Hudson,	Rucker
Arnold	Irwin,	Rumph,
Armstrong,	Latham.	Shewmake,
Boatright	Leverett,	J. C. Smith,
Cameron,	Mangham,	W. R. Smith,
Carlton,	Maxwell,	W Smith,
Champion,	Manor,	Staten
Clark,	McCurdy,	Stephens,
Denham,	McLean,	J. Stewart,
Eberhart,	McMullin,	J. H. Walton,
Fannin,	Mobley,	W. A. Walton,
Fields,	Radford,	Walker,
Fish,	Redding,	H. L. Williams,
Gross,	G. R. Reid,	Williamson,
J. Hardin,	M Reid,	Young,
W P. Harden,	Reynolds,	Yopp.
Harrison,	Rice,	

So the motion was lost.

Mr. Clark moved that the House adjourn until half past 7 o'clock this evening.

Upon which motion Mr. Hardeman required the yeas and nays to be recorded, which are : yeas 49, nays 49.

There being a tie,, the Speaker voted in the affirmative.

Those who voted in the affirmative are, Messrs

Alread,	Fields,	McMillan,
Anderson,	Fish,	McMullin,
Arnold,	James Hardin,	Moody.
Bostwick,	Hatton,	G. R. Reid.
Boatright	Hays,	M. Reid.
Cameron,	Hudson,	Rice.
Carlton,	Jones,	Richardson
Champion,	Leverett,	N. Robinson,
Clark.	Masters.	Shewmake,
Denham,	Maxwell,	W. R. Smith,
Durden,	Manor,	Stephens,
Eberhart,	McCurdy,	L. S. Stewart,
Fannin,	McLean,	J. Stewart,

Stokes,	J. H. Walton,	H. L. Williams,†
Sweat,	W. A. Walton,	Williamson.
D. W. Taylor.	Walker,	Young,
Trice.		

Those who voted in the negative are, Messrs.

Adams,	Hamilton,	Rowell,
Andrews,	Headen	Shine,
Bell,	Holland,	G. K. Smith,
Benj. Cleveland,	Keith,	W. Smith,
Cody,	Latham.	Stapleton,
Crawford,	Mangham,	Staten,
Dawson	McDonald,	Strickland,
Dubignon,	McGregor	Strother,
Dial,	Moughon,	J. Taylor.
Gartrell,	Paris,	Turner,
Grant,	Pickett,	West.
Griffin,	Poole,	Whitworth.
Harris,	Pottle,	A. J. Williams,
Harrison.	Powell,	Williford,
Harrall,	Powers,	Yopp.
Hardeman,	Radford,	
Hawkins,	Riley,	

So the motion prevailed.

### HALF PAST SEVEN O'CLOCK, P. M.

The House met pursuant to adjournment.

On motion of Mr. Ward the following bills were taken up, read the second time and referred to the Committee on Banks, to wit :

A bill to be entitled an act to incorporate a bank, to be called the Exchange Bank of the City of Savannah.

A bill to be entitled an act to alter and change the corporate name and style of the Marine and Fire Insurance Bank of the State of Georgia, to the corporate name and style of Marine Bank of Georgia ; and to authorize the same to increase the capital thereof, and to establish branches.

Mr. Walker moved to take up local bills for a third reading, which was agreed to.

The House took up the report of the committee on the bill to be entitled an act to repeal an act entitled an act, passed 1851 and 1853 ; establishing an election precinct at Thomas

H. Burns Mills, in 34th District; Georgia Militia, in Scriven county; which was read the third time and passed. Also,

A bill to compensate the Petit Jurors of the county of Stewart: which, after agreeing to the report of the committee, was read the third time and passed.

Mr. McWhorter moved to suspend the order to take up a bill of the Senate, for a third reading.

The House took up the report of the committee on the bill to be entitled an act to amend an act to authorize all free white citizens of the State of Georgia, and such others as they may associate with them, to prosecute the business of manufacturing with corporate powers and privileges, passed the 22d day of December, 1847; so far as the Penfield Steam Mill Company, in the county of Greene is concerned and to incorporate such company and to grant to said company, certain privileges.

The report of the committee was agreed to. The bill was read the third time and passed, under the title thereof.

On motion of Mr. McMillain, the House took up the report of the committee on the bill to be entitled an act to organize and lay out a new county, from the counties of Jackson, Clarke, Walton, and Gwinnett.

Mr. Mobley moved to fill the blank for the name of said new county, with "Charlton;" which motion was agreed to.

Mr. Carlton moved to amend the bill, by striking out the county of "Clark"; which was agreed to.

The report of the committee as amended, was agreed to. The bill was read the third time, and upon the question, "Shall this bill now pass?" Mr. Pottle required the yeas and nays to be recorded, which are: yeas 33, nays 55

Those who voted in the affirmative are, Messrs.

Arnold	Harrison	Poole,
Bell,	Harrall,	G. R. Reid,
Bostwick,	Hamilton,	Richardson,
Calloway,	Headen,	Riley,
Carlton,	Henderson,	N. Robinson,
Clark,	Hudson,	Rowell,
Clements.	Lamar,	D. W. Taylor
Crawford,	Masters,	Turner,
Dawson,	McCurdy,	West,
Dial,	McDonald,	Whitworth.
Fields,	McMillan,	H L Williams
Green,	Paris	Young,
W P. Harden,	Pickett,	

Those who voted in the negative are, Messrs.

Anderson,	Irwin,	Shewmake,
Andrews	Latham,	Shine,
Boatright,	Mangham,	J. C. Smith,
Cameron,	Maxwell,	G. K. Smith,
Champion,	Manor,	W. R. Smith,
Benj. Cleveland,	Mays,	W. Smith,
Cody,	McLean,	Stephens,
Dubignon	McMullin,	L. S. Stewart,
Durden,	McWhorter,	J. Stewart,
Eberhart,	Mobley,	J. Taylor,
Fannin,	Moody,	Trice,
Fish,	Pottle,	J. H. Walton,
Grant,	Powers,	W. A. Walton,
Gross,	Radford,	Walker,
James Hardin,	Redding,	Williamson,
Harris,	M Reid,	Wilson,
Hatton,	Reynolds,	Williford,
Hardeman,	Rice,	Yopp.

So the bill was lost.

The House took up the report of the committee on the bill entitled an act to repeal an act, approved December 26, 1851, to change the line between the counties of Ware and Wayne ; which on being read, on motion of Mr. Sweat, was indefinitely postponed.

The House took up the report of the committee on a bill to be entitled an act to confer certain privileges upon Joseph Neely, of the county of Thomas, and render him capable of transacting business for himself; which was agreed to, and the bill was read a third time and passed.

The House took up the report of the committee on the bill to be entitled an act to confer certain privileges upon Francis M. Wilson, of Thomas county, and make lawful his acts, and give him authority to transact business as though he was twenty-one years old, and for other purposes therein mentioned.

The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to make penal the using of any poisoning substance in any of the water courses in the county of Thomas, for the purpose of poisoning and catching fish.

Mr. McMullin moved to recommit the bill, to allow him to amend it; which was agreed to.

Mr. McMullin then amended, by adding the county of "Worth."

The report of the committee as amended, was agreed to. The bill was the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to authorize and require the School Commissioners of Campbell county, to pay Wiley Scoggin, certain money for teaching poor children.

The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to incorporate the Baldwin Blues Loan and Building Association.

Mr. Hardeman offered an amendment, incorporating the Building and Loan Association in the city of Macon ; which was accepted.

The report of the committee, as amended, was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act for the relief of Levi Burty, an infirm and indigent person ; which was agreed to. The bill was read the third time and passed.

The House went into committee of the Whole—Mr Arnoid in the Chair—on the bill to be entitled an act for the relief of John Huie, of the county of Fayette, and after some time spent thereon, on motion of Mr. Ward, the bill was referred to the Committee on Finance.

Mr. Fields moved that the House adjourn until half-past 9 o'clock, to-morrow morning.

Upon which motion, Mr. Riley required the yeas and nays to be recorded : yeas 61, nays 22.

Those who voted in the affirmative are Messrs.

Anderson,	Gartrell,	McWhorter,
Arnold,	Grant,	Paris,
Bell,	Gross,	Poole,
Bostwick,	James Hardin,	Pottle,
Boatright	W. P. Hardin,	Radford
Calloway,	Harris,	Redding,
Cameron,	Harrison,	G. R. Reid,
Carlton,	Hatton.	M. Reid.
Champion,	Headen,	Reynolds
Clark	Lamar	Rice,
Benj. Cleveland,	Latham,	Richardson
Cody,	Mangham	Shewmake
Denham,	Maxwell,	Wm. Smith,
Durden,	Mays	Staten,
Eberhart,	McCurdy,	Stephens,
Fannin,	McLean,	Stokes,
Fields,	McMullin,	Sweat,

D. W. Taylor,	Walker,	Williford,
Trice,	H. L. Williams,	Yopp,
Turner,	Williamson,	
J. H. Walton,	Wilson	

Those who voted in the negative are Messrs.

Alread,	Hamilton,	N. Robinson,
Andrews,	Hudson,	Rowell,
Crawford,	Linn,	G. K. Smith,
Dial,	McDonald,	W. R. Smith,
Fish,	Mobley,	J. Taylor,
Harrall,	Pickett,	West,
Hardeman,	Riley,	Young,

So the motion to adjourn prevailed, and the House adjourned to half past 9 o'clock, to-morrow morning.

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### WEDNESDAY, JANUARY 25th, 1854.

The House met pursuant to adjournment.

Mr. Fields moved to reconsider so much of the Journals of yesterday, as relates to laying the substitute and tax bill upon the table for the balance of the session.

After some discussion had thereon, Mr. Hardeman called for the previous question ; which call was sustained.

The previous question being put, the yeas and nays were required to be recorded thereon, and are : yeas 54, nays 62.

Those who voted in the affirmative are, Messrs.

Adams,	Fish,	Manor,
Alread,	Gartrell,	Mays,
Andrews,	Griffin,	McDougald,
Bell,	James Hardin,	McGregor,
Boatright,	Hays,	McLean,
Bridges,	Headen,	McMillan,
Calloway,	Hood,	Mobley,
Benj. Cleveland,	Holland,	Paris,
Clements,	Hudson,	Pickett,
Crawford,	Keith,	Poole,
Crittenden,	Latham,	Redding,
Dawson,	Leverett,	G. R. Reid,
Denham,	Linn,	Rice,
Dial,	Mangham,	Riley,
Fields,	Masters	W. R. Smith.

Staten.	Turner,	A. J. Williams,
J. Taylor,	West,	Young,
D W Taylor	Whitworth,	Yopp.

Those who voted in the negative are, Messrs.

Anderson,	Hamilton,	J. C. Smith,
Arnold,	Hendrick,	G. K. Smith,
Armstrong,	Irwin,	Win. Smith,
Bostwick,	Jones,	Stapleton,
Brown,	Lamar,	Stephens,
Cameron.	Maxwell,	L. S. Stewart,
Champion,	McComb,	J. Stewart,
Clark,	McCurdy,	Stokes,
Cody,	McMullin,	Strickland,
Dodds,	McWhorter,	Strother,
Dubignon,	Moughon	Sweat,
Durden	Pottle,	Thornton,
Eberhart,	Powell	Trice,
Fannin,	Powers,	J H Walton,
Grant,	Radford,	W. A. Walton,
W P Harden,	M. Reid,	Walker,
Harrison,	Reynolds,	H. L. Williams,
Harrall,	Richardson,	Williamson,
Hatton,	Rumph,	Wilson,
Hardeman,	Shewmake,	Williford.
Hawkins,	Shine,	

So the motion to reconsider was lost.

The following message was received from the Senate, by Mr. Moore, their secretary :

*Mr. Speaker*—The Senate has passed the following bills, to wit.

A bill to incorporate the town of Vienna, in the county of Dooly, and to appoint Commissioners for the same. Also,

A bill to incorporate the Ladies Hebrew Benevolent Society of Savannah. Also,

A bill to compel judicial officers to turn over to their successors in office, books received from the State.— Also,

A bill to alter and amend the 7th Section of an act entitled an act to carry into effect the amended Constitution of this State in reference to Ordinaries, assented to January 21st, 1852, so far as to authorize the Ordinary of Polk county to keep his office closed, except on Tuesdays and Fridays of each and every week. Also,

A bill to repeal all laws consolidating the offices of Re-

ceiver of Tax Returns and Tax Collector in the county of Clarke. Also,

A bill to incorporate Talmage Normal Institute, located in the town of Irwinton, and to appoint trustees for the same. Also,

A bill to appoint an additional number of Trustees for the Bainbridge Academy, in the county of Decatur.— Also,

A bill to incorporate the Bainbridge Cemetery, in the County of Decatur, and to appoint Trustees for the same.— Also,

A bill to change the line between the counties of Monroe and Crawford, and, also, the line between certain other counties therein named. Also,

A bill to incorporate Antioch Baptist Church, in the county of Washington, and to appoint trustees for the same, and for other purposes.

Mr. McMillan moved to reconsider so much of the Journals of yesterday, as relates to the rejection of the bill, to lay out and organize a new county from the counties of Jackson, Clarke, Walton and Gwinnett; which motion was lost.

On motion of Mr. Pottle, the Clerk was directed to inform the Senate, that the House was ready to receive them into their Hall, to proceed with the election of Solicitor General of the Southern Judicial Circuit.

Mr Walker offered the following resolution; which was read, & to wit:

*Resolved*, That the hours of meeting for this House hereafter, shall be half-past 9 o'clock, A. M., 3 o'clock, P. M., and half past 7 o'clock at night.

Mr. Walker moved to take up the foregoing Resolution.

Upon which motion, the yeas and nays were required to be recorded, at the call of Mr. Cleveland of Habersham, and are: yeas 79, nays 32.

Those who voted in the affirmative are, Messrs.

Alread,	Cody,	J. Hardin,
Anderson	Crittenden,	Harrison,
Arnold.	Dodds &	Hatton,
Armstrong,	Dubignon	Hardeman,
Bostwick,	Durden,	Hays,
Bridges,	Eberhart,	Hawkins,
Brown,	Fields,	Headen,
Cameron,	Fish	Henderson,
Champion,	Gartrell,	Hood,
Clark,	Gross,	Irwin,
Benj. Cleveland,	W P. Harden,	Jones



Keith,	Radford,	Stokes,
Masters,	Redding,	Strother,
Maxwell,	G. R. Reid,	Sweat,
Manor,	M. Reid,	J. Taylor,
McCurdy,	Rice,	D. W. Taylor,
McDougald,	Richardson,	Trice,
McGregor,	N Robinson	Turner,
McLean,	Rowell,	J H Walton,
McMullin,	Rumph,	W. A. Walton,
McWhorter,	Shewmake,	Walker,
Mobley,	W. R. Smith,	H. L. Williams,
Moody	W. Smith,	Williamson,
Paris,	Staten,	Young.
Pickett,	Stephens,	Yopp.
Poole,	L. S Stewart,	
Pottle,	J Stewart	

Those who voted in the negative are, Messrs.

Adams,	Harris,	Powers.
Andrews,	Harrel,	Riley,
Bell,	Hamilton,	Shine.
Calloway	Hendrick,	J. C. Smith,
Clements,	Holland,	G K Smith,
Crawford,	Hudson,	Stapleton,
Dawson,	Latham.	Strickland,
Denham,	Mangham,	West,
Dial,	Mays	Whitworth,
Grant,	McComb,	Wilson,
Griffin,	Moughon	

So the motion to take up was agreed to.

Mr. Harrison moved to amend by striking out "half past seven," and inserting in lieu thereof, "seven."

Pending which, the Clerk having performed the duty of informing the Senate of the readiness of the House to receive them in the Representative Hall, the President and members of the Senate attended, and the General Assembly proceeded with the election of a Solicitor General for the Southern Judicial Circuit; and on receiving and counting out the ballots, it appeared that John S. Winn was duly elected.

The Senate then repaired to their chamber, and the House resumed the business under consideration, which was Mr. Walker's resolution for the meeting of the House.

The motion of Mr. Harrison, to strike out "half past seven," and insert "seven" in lieu thereof. was lost.

Mr. Cody moved to lay the resolution upon the table, for the balance of the session.

Upon which motion the yeas and nays were required to be recorded, at the call of Mr. Trice, and are: yeas 61, nays 46.

Those who voted in the affirmative are Messrs.

Adams,	Hawkins	G. R. Reid,
Andrews,	Hamilton	Riley,
Arnold,	Henderson,	Rowell
Bell,	Hendrick,	Rumph
Bostwick,	Holland,	J. C. Smith,
Boatright	Hudson,	G. K. Smith,
Bridges,	Keith,	W. Smith,
Brown,	Leverett,	Stapleton,
Calloway,	Mangham,	L. S. Stewart,
Cameron.	Manor,	J. Stewart,
Clark.	Mays,	Strickland,
Cody,	McComb,	D. W. Taylor.
Crawford,	McDonald,	Thornton,
Dawson,	McLean,	Turner,
Dial,	McMillan,	W. A. Walton,
Grant,	Paris,	West
Griffin,	Pickett,	Whitworth,
Harris,	Pottle,	A. J. Williams.
Harrison,	Powell	Williford.
Harrall,	Powers,	
Hays,	Radford,	

Those who voted in the negative are Messrs.

Alread,	Irwin,	Richardson,
Anderson,	Jones,	N. Robinson,
Champion,	Latham,	Shewmake,
Benj. Cleveland,	Linn,	Shine,
Crittenden,	Martin,	W. R. Smith.
Denham	Masters	Staten,
Dodds	McCurdy,	Stephens,
Durden	McDougal,	Stokes,
Fannin,	McMullin,	Strother,
Fish,	McWhorter.	J. Taylor,
Gartrell,	Mobley,	Trice,
Gross,	Moody,	H. L. Williams,
W. P. Harden,	Redding,	Williamson,
Headen,	M. Reid,	Young
Hood,	Reynolds,	Yopp

So the motion was sustained.

Pending which. Mr. Walker, from the committee on Agriculture and Internal Improvements, reported favorably on

the bill to be entitled an act to incorporate the Columbus and Hamilton rail road company.

Mr. Lamar offered the following resolution; which was read, to wit:

Whereas, There have been fifteen or more new counties organized since the publication of a large map of Georgia it becomes a matter of great importance to future legislation, on the subject of new counties, and the changing of county lines, that the people should be in possession of a correct knowledge of the geographical position of all the counties in the State: Be it—

*Resolved*, By the Senate and House of Representatives, That his Excellency the Governor be authorized to subscribe for a sufficient number of Bonner's Map of Georgia, scale of six miles to the inch, showing all the counties at present organized and those which may be organized at the present Session of the Legislature—to furnish one to each county—one in exchange for each State and Territory, and one for the offices in the State House.

Mr. Grant moved to suspend the rules of the House, to take up the following joint resolution from the Senate, to wit:

*Resolved*, By the General Assembly of the State of Georgia, that James P Flewellen a citizen of Georgia and a Lieutenant in the army of the United States, is hereby recommended to his Excellency, the President of the United States for appointment as Captain of Dragoons in the new regiment, proposed to be added to the present military establishment.

*Resolved*, That a copy of the above resolution be sent by the Secretary of the State to his Excellency the President of the United States.

On motion of Mr. Grant, the foregoing resolutions were taken up, read and concurred in.

On motion of Mr Stewart of Hancock, the House adjourned until 3 o'clock, P. M.

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### THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

On motion of Mr. Masters, Mr. Latham was added to the Committee on Finance,

On motion, leave of absence was granted to Mr. Stapleton after Friday night.

Leave of absence was also granted to Messrs. Eberhart and Phillips on account of indisposition.

Leave of absence was also granted to Mr. Redding, after to-morrow.

On motion of Mr. Hardeman, the following bill was taken up, read a second time, and referred to the committee on Finance, to wit :

A bill to be entitled an act to authorize his Excellency the Governor to draw his warrant on the Treasury, in favor of Drewry W. Taylor, of Houston county, for twenty-two dollars and ninety six cents, for monies advanced to pay for advertising lands, and for commissions for selling the same, under the provisions of an act, approved December 30th. 1847.

On motion of Mr. Walker, the report of the committee on Internal Improvements, and the bill to be entitled an act to extend the Northeastern and Southwestern Alabama Rail Road, was made the special order of the day for to-morrow, the 26th instant.

On motion of Mr. Mobley, the rules of the House were suspended, and the House took up the Senate bill, to be entitled an act for the pardon of John D. Malone, otherwise called John D. Hall of the county of Greene, now confined in the Penitentiary, for the crime of murder; which was read the first time.

On motion of Mr. Walker, the House then proceeded to the reading of bills the third time.

The House took up the report of the committee on the bill to be entitled an act to alter and amend an act entitled an act for the government of the Western and Atlantic Railroad, approved January 15th, 1852, and give the election of Superintendent of said road to the people.

Mr. Gartrell moved to lay the bill upon the table for the balance of the session.

Upon which motion the yeas and nays were required to be recorded, upon the call of Mr. Harrison, and are : yeas 68 nays 32.

Those who voted in the affirmative are, Messrs.

Adams,	Crawford,	Hays,
Anderson,	Crittenden,	Headen,
Andrews,	Denham,	Hood,
Arnold,	Durden,	Irwin,
Armstrong,	Fields,	Jones,
Boatright,	Fish,	Lamar
Bridges,	Gartrell,	Latham,
Brown,	Grant	Leverett,
Cameron,	Gross.	Linn,
Champion	J. Harden,	Mangham,
Clark,	Harris,	Masters,
Benj. Cleveland,	Harrison,	McCurdy,
Clements,	Hatton,	McMullin,
Cody,	Hardeman,	Moughon,

Nichols,	Shewmake,	Turner,
Paris,	G K Smith,	J H Walton,
Phillips,	W. R. Smith,	W. A. Walton.
Poole,	W Smith,	Walker,
Pottle,	Stapleton,	H. L. Williams,
Powell	J. Stewart,	A. J. Williams,
Redding,	Strickland,	Williamson,
M. Reid,	Sweat,	Wilson,
Rice,	J. Taylor,	
Rumph,	D. W. Taylor	

Those who voted in the negative are Messrs.

Alread,	Maxwell,	Riley,
Dodds,	Manor,	Staten,
Dyal,	Mays,	Stephens,
Fannin,	McGregor,	L S Stewart
W. P. Harden,	McLean,	Stokes,
Harris,	McMillan,	Thornton,
Hawkins,	McWhorter,	West
Henderson,	Mobley,	Whitworth,
Hudson.	Moody.	Young.
Keith,	Pickett,	Yopp.
Martin,	G R Reid	

So the motion prevailed.

Pending which the following message was received from the Senate, by Moore their Secretary:

*Mr Speaker*—The Senate has passed the following bills, to wit :

A bill to amend an act passed the 26th of December, 1837, entitled an act to regulate the mode of partitioning lands and tenements in certain cases, in the State of Georgia. Also,

A bill to compensate Petit Jurors in the county of Heard, and provide a fund for the same. Also,

A bill to incorporate the Marietta Guards, and to grant certain immunities and privileges to the members of the same. Also,

A bill to add to and amend the several attachment acts now of force in this State. Also,

A bill to add lots Nos. 85 and 86, in the 7th district of originally Baldwin county, now Jones county, to the county of Bibb. Also, to change the line between the counties of Franklin and Hart, and to change the residence of certain persons therein mentioned. Also,

A bill to incorporate the Submarine Telegraph company. Also,

A bill to amend an act entitled an act, to authorize the incorporation of Joint Stock Companies, for the construction of macademized, graded or plank roads, passed 23d February, 1852. Also,

A bill to incorporate the Georgia Western Railroad company, and to confer certain powers and privileges therein mentioned. Also,

A bill for the pardon of John D. Malone, otherwise called John D. Hall, now confined in the Penitentiary for life, for the crime of murder. Also,

A bill to alter an act more effectually to prevent fraud in elections in this State, approved 27th of January, 1852, so far as relates to the oath of Superintendents. And also,

A bill to authorize Uriah Jones to establish Fort Barrington Ferry, across the Altamaha river, on his land, in McIntosh and Wayne counties, and to fix the rate of ferriage, and for other purposes.

The House took up the report of the committee on the bill to be entitled an act authorize the tax collector of Spaulding county, to pay over the State tax for the year 1854, to the Inferior Court, &c.

The report was agreed to; the bill was read the third time and lost.

The House took up the report of the committee on the bill to be entitled an act to authorize the Justices of the Inferior Court of Wayne county to receive the State tax of Wayne county for the years 1854 and 1855.

The report of the committee was agreed to; the bill was read the third time and lost.

The House took up the report of the committee on a bill to be entitled an act to compel persons who own, or may hereafter own lands, improved or unimproved, in the counties of Wayne and Union, to give in and pay taxes on the same, in said counties.

Mr. Rumph moved to amend the 1st Section by adding, after the words "any land, the words "over one thousand acres;" which amendment was agreed to.

The report, as amended. was agreed to; the bill was read the third time and passed.

The House took up the bill to be entitled an act to amend the claim laws of this State; which being read, was referred to the Judiciary Committee.

The House took up the report of the committee on the bill to be entitled an act to allow certain persons therein named to administer oaths.

Mr. Turner moved to amend the bill by striking out "Sheriffs;" which was agreed to.

Mr. Turner, also, moved to amend the bill by adding the words, "and they are also authorized to attest deeds;" which amendment was agreed to.

The report of the committee, as amended, was agreed to ; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to repeal the 2d Section of the 9th Division of the Penal Code of this State, and to substitute a section in lieu thereof and for other purposes.

On motion of Mr. McDougald, the bill was postponed, indefinitely.

The House took up the report of the committee on the bill to be entitled an act to incorporate the Merchants and Planters Bank.

Mr. Ward moved to amend by striking out the names of "R. M. Charlton and Charles Hartridge," in the 1st Section ; which motion was agreed to.

Mr. Trice moved to amend the bill by adding an additional section, after the 16th Section, as follows :

"*And be it further enacted*, That the property of the stockholders shall, at all times, be liable, pledged and bound, in proportion to the number of the share, or shares, that each individual and corporation may hold and possess ; and that such liability shall not be discharged by a sale of stock, unless at the time of such sale, the sale was made for a good and valuable consideration, and a *bona fide* transaction, and the bank was in a sound and solvent condition at the time of such sale ; in which event, such liability shall not continue ;" which amendment was agreed to.

The report of the committee, as amended, was agreed to ; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to incorporate the Rome Volunteers, and to extend to them certain privileges, and grant certain immunities.

The report of the committee was agreed to ; and on motion of Mr. Crawford, was passed over for the present.

The House took up the report of the committee on the bill to be entitled an act to alter and change the names of certain persons therein mentioned, and for other purposes.

• The report of the committee was agreed to ; the bill was read the third time.

Mr. Hardeman then moved that the bill be laid on the table for the balance of the session.

Upon which motion, Mr. Gartrell required the yeas and nays to be recorded, which are : yeas 71, nays 33.

Those who voted in the affirmative are Messrs.

Anderson,	Bell,	Champion.
Andrews,	Bostwick,	Clark,
Arnold	Bridges,	Benj. Cleveland,
Armstrong,	Cameron,	Cody,

Dawson	Martin,	Shewmake,
Denham.	Masters,	W. R. Smith,
Durden,	Maxwell,	Staten
Fannin.	Mays,	Stephens,
Fish,	McLean,	L. S. Stewart,
Grant,	McMillan	Strickland,
Griffin,	McMullin,	Strother,
Gross,	McWhorter,	Sweat,
W P Harden	Mobley,	Thornton,
Harrison,	Moody.	Trice,
Harrall,	Moughon	Turner,
Hatton,	Pickett,	J. H. Walton,
Hardeman,	Poole,	Walker,
Hays,	Pottle,	West.
Headen,	Powell.	H. L. Williams,
Henderson,	Radford,	A. J. Williams,
Hood,	G R Reid	Williamson,
Irwin,	Rice,	Wilson
Leverett	Richardson.	Yopp.
Mangham,	N. Robinson,	

Those who voted in the negative are Messrs.

Adams,	Linn,	Riley,
Alread,	Manor,	Rumph,
Clements	McCurdy,	Shine,
Crawford,	McDonald	G. K. Smith,
Crittenden,	McDougald,	W. Smith,
Dodds,	McGregor,	J Stewart
Dial,	Paris,	Stokes,
Gartrell,	Phillips,	D. W. Taylor,
Hamilton,	Redding,	Whitworth,
Hudson,	M. Reid,	Williford,
Latham	Reynolds.	Young,

So the motion to lay on the table prevailed.

The House took up the report of the committee on the bill to be entitled an act to amend an act to prevent controversies concerning the boundaries of lands in this State.

The report of the committee was agreed to ; the bill was read the third time and passed.

The House went into Committee of the Whole, Mr. Arnold in the Chair, upon the bill to be entitled an act to retain the taxes for the year 1854, for the purpose of building a jail in the county of Montgomery. After some time being spent thereon, the committee rose, and reported unfavorably to the passage of the bill.

The bill was read the third time and lost.



The House went into Committee of the Whole, Mr. Arnold in the Chair, on the bill to be entitled an act to authorize the Tax Collector of the county of Cobb, for the year 1854, to pay over to the Justices of the Inferior Court, the amount of State taxes, and for other purposes therein mentioned ; and after some time spent thereon, the committee rose and reported the bill back to the House with an expression of the opinion that the bill should not pass.

The report of the committee was agreed to ; the bill was read the third time and lost.

The House took up the report of the committee on the bill to be entitled an act to authorize James C. Mulkey to practice medicine, and charge for the same.

Mr. Hardeman offered to amend, by adding—"provided he has obtained license from the Botanical College."

Upon the question of the adoption of the amendment, Mr. Pottle required the yeas and nays to be recorded, which are yeas 40, nays 49.

Those who voted in the affirmative are, Messrs.

Adams	McDonald	Sweat,
Bell,	Mobley	J. Taylor
Clements	Moody	D. W. Taylor
Dodds,	Pottle	Thornton,
Dial	Powell	Turner,
Gartrell	Radford,	W. A. Walton
Grant,	Rice	J. H. Walton
W. P. Harden,	N. Robinson,	H. L. Williams,
Harrison	Rumph,	A. J. Williams
Headen	Shewmake	Wilson.
Hood,	Stapleton,	Young
Jones,	J Stewart	Yopp
Mangham	Strickland,	
Mays,	Strother	

Those who voted in the negative are, Messrs.

Alread	Fields,	Irwin,
Arnold,	Griffin,	Keith,
Bridges	Gross	Latham
Calloway,	Harris	Linn
Cameron	Hatton,	Martin,
Benj. Cleveland	Hays	Masters
Crawford,	Hawkins,	Maxwell
Crittenden,	Hamilton,	Manor,
Dawson,	Henderson	McCurdy,
Denham	Holland	McGregor
Durden	Hudson	McLean,

McMillan	G. R. Reid,	Staten
McMullin,	M. Réid	L S Stewart.
Mc Whorter	Richardson	West
Paris,	Riley	Whitworth
Pickett	G. K. Smith	
Poole,	W. Smith	

So the amendment was lost.

Mr. Mobley moved to amend by inserting the following words, to wit: "That Jesse Oslin be allowed to practice medicine in the county of Cobb, and to charge compensation for the same;" which amendment was adopted.

Mr. Pickett called for the previous question; the call not being sustained by the House, Mr. Hardeman moved to lay the bill and amendments on the table for the balance of the session; which motion was agreed to.

The House then proceeded to the regular order of the day, and the following bills were introduced and read the first time, to wit:

Mr. Phillips reported.

A bill to be entitled an act to authorize the Governor to apply the amount of seventy-five thousand dollars to the redemption of any bonded liabilities of the State, &c.

Mr. Pickett reported

A bill to be entitled an act to mend an act, to levy and collect a tax for 1852 and 1853, and thereafter, until repealed, approved January 9th, 1852.

On motion of Mr. Redding, the Hall of the House was tendered to Mr. James E. Vinton of New York, to lecture on temperance.

Mr. Turner moved that the House adjourn until half past 9 o'clock, to-morrow morning.

Upon which motion, Mr. Walker required the yeas and nays to be recorded, which are; yeas 59, nays 32.

Those who voted in the affirmative are, Messrs.

Andrews,	Crittenden,	Leverett,
Arnold,	Dawson	Linn.
Barnes,	Dial,	McCurdy,
Bell,	J. Hardin,	McDonald,
Bostwick	Harrall	McDougald,
Bridges,	Hardeman,	McGregor,
Calloway,	Hays,	McMillan,
Cameron,	Hawkins,	McMullin,
Champion,	Hamilton,	McWhorter,
Clark,	Holland,	Mobley,
Crawford,	Keith,	Paris,

Phillips,	Stapleton,	Turner,
Poole,	Stephens,	West,
Pottle,	L S Siewart	Whitworth
Radford,	Stokes,	H. L. Williams,
Redding,	Strickland,	Wilson,
Richardson,	Strother,	Williford,
Rumph,	Thornton,	Young,
G. K Smith,	Trice,	Yopp,

Those who voted in the negative are, Messrs.

Benj. Cleveland,	Hudson,	Riley,
Clements,	Jones,	N. Robinson,
Dodds	Masters,	W. R. Smith,
Durden,	Maxwell,	W. Smith,
Fannin,	Manor,	Staten,
Fields,	Moody	J. Stewart,
Gross,	Pickett,	Sweat,
Harrison,	G. R. Reid,	W A. Walton,
Headen,	M. Reid,	Walker
Henderson,	Reynolds,	Williamson.
Hood	Rice,	

So the motion to adjourn prevailed ; and the House adjourned until half past 9 o'clock to-morrow morning.

#### THURSDAY, JANUARY 26th, 1854.

The House met pursuant to adjournment.

On motion, leave of absence was granted to Messrs. Lamar, Hendrick, and Stephens.

Mr. Crawford moved to reconsider so much of the Journals of yesterday as relates to laying upon the table a bill to be entitled an act to alter and change the names of certain persons therein mentioned, and for other purposes.

Upon which motion Mr. Gartrell required the yeas and nays to be recorded, which are : yeas 34, nays 58.

Those who voted in the affirmative are Messrs.

Adams,	Dial,	Holland,
Crawford,	Fields,	Keith,
Crittenden,	Gartrell,	Latham,
Dawson.	Griffin,	Linn,
Dodds	Hays,	Manor,

Mays,	G. R. Reid,	Stokes,
McComb,	M. Reid,	J. Taylor,
McDonald,	N. Robinson,	D. W. Taylor,
McLean,	Rumph,	Whitworth,
McMillan,	J. C. Smith,	Young,
Phillips,	Staten	
Redding,	J. Stewart,	

Those who voted in the negative are, Messrs.

Ahread,	Harrall	Pottle,
Andrews,	Hatton,	Radford,
Arnold,	Hardeman,	Reynolds,
Bell,	Headen,	Rice,
Bostwick,	Henderson,	Riley,
Boatright,	Hood	Shewmake,
Bridges,	Hudson,	W. R. Smith,
Brown,	Irwin,	Stapleton,
Cameron,	Jones	Stephens,
Carlton	Leverett,	L. S. Stewart,
Champion,	Mangham,	Strickland,
Clark,	Martin,	Thornton,
W. C. Cleveland.	Maxwell,	J. H. Walton,
Clements	McMullin,	W. A. Walton,
Cody,	McWhorter.	Walker,
Denham,	Mobley,	West,
Dubignon,	Moody,	A. J. Williams,
Fannin,	Moughon,	Williamson
Fish,	Nichols,	Williford,
W. P. Harden,	Paris,	Wilson
Harrison,	Pickett,	Yopp.

So the motion to reconsider was lost.

Leave of absence was granted to Mr. Smith, of DeKalb on account of sickness.

The following message was received from the Senate by Mr. Moore, their Secretary :

*Mr. Speaker*—The Senate has passed the following bills, to wit :

A bill to define the liabilities of Executors, Administrators, Guardians, Trustees, and certain public officers, in certain cases. Also,

A bill to incorporate the Blue Ridge Rabun Gap Church, and for other purposes. Also,

A bill to amend the law in relation to deeds of conveyance. Also,

A bill to add an additional section to the 13th division of the Penal Code. Also,

A bill to require the Clerks of the Superior Courts to issue writs of *ne exeat* in certain cases, and to regulate the proceedings on the same. Also,

A bill for the relief of John Montgomery and William A. Lewis, of Forsyth county; Nancy Going, Adeline Page, Thursday, Isabella, de la Fayette and Elinira, free persons of color, of the county of Columbia, and for other purposes. Also,

A bill to change the line between the counties of Greene and Taliaferro. Also,

A bill to repeal so much of the 13th section of the 13th Division of the Penal Code as refers to the purchase of cotton or rice from slaves, and to make it, without written permission, punishable by imprisonment in the Penitentiary.

The House took up the special order of the day, which was the report of the committee on the bill to be entitled an act to extend the North East and South West Alabama Rail Road.

Mr. McDougald moved to amend the bill by adding the following section thereto, which was agreed to, to wit :

*"And be it further enacted,* That in all cases where a question of right of way may arise, and the parties be unable to agree, the Sheriff and Clerk of the Superior Court of the county in which said right of way is in dispute, shall draw a jury of twelve men from the Grand Jury box, who shall assess the damages to be paid by said company for running said road through the land of any citizen, and also for land for depots, stations, turnouts, &c., saving to either party the right of appeal to the Superior Court under the laws now in force regulating appeals to that Court, and in all such cases such jury shall, in addition to the usual oath, be severally sworn in assessing damages to take into consideration and account the enhanced value of the land from the building of said road, passing through said land.

On motion of Mr. McDougald, the following communication from Messrs. Rowell and McComb (a minority of the committee on Agriculture and Internal Improvements) was received and read as follows, to wit :

The undersigned, minority of the committee on Internal Improvements, having considered the joint resolutions of the State of Alabama, requesting the State of Georgia to grant the right of way for the construction of the North East and South West Alabama Rail Road through the northern part of the State, submit the following report :

The proposed road will cross the State Road at nearly a right angle, and instead of injuring it or diminishing its business will serve as a branch on either side to increase its business and its profits. Parallel roads near to each other, and competing for the same business, may injure each other; but roads crossing each other and terminating at distant points,

as in the case under consideration, serve as mutual branches and are mutually beneficial. That part of the proposed road which may be constructed in Georgia will help to develop the resources of our State and enrich our own citizens without cost to us. We think we may assert as a correct policy, that wherever parties are willing to furnish money to construct rail roads, it is not only safe and unobjectionable to allow them to do so, but every road so built is a great and positive benefit to the section through which it may run, and to the people of the State. These then are sufficient reasons for granting the desired charter if there were no extraordinary circumstances attending the application for it. But when the circumstances under which this application is made are considered, it seems to us that as Georgians, proud of the integrity and jealous of the honor of our State, we should not hesitate to grant the charter, even if there were doubts as to its financial effects. Georgia has asked and received a similar and a much more important favor from Alabama. The report of the commissioners sent by our authority to that State, shows that that grant was cordially recommended by the Governor of Alabama, without inquiry as to the pecuniary interests of the State on the grounds of courtesy and comity due to a sister State, and a confident belief that Georgia would never blur her escutcheon by refusing a similar favor. The General Assembly of Alabama granted our request, not grudgingly, but promptly and unanimously!—like a sovereign to an honored sister.

The State of Alabama now asks from us a similar favor to that which she has granted, and has sent commissioners to communicate her request. The generosity and magnanimity of Alabama should be reciprocated and the honor of Georgia protected by the prompt and unanimous passage of the bill.

We ask that the message of the Governor and the report of the Georgia commissioners may be read and spread upon the Journal with this report.

L. G. ROWELL, }  
M. D. McCOMB, } Committee.

The subject being discussed, Mr. Alread called for the previous question.

The call being sustained, the main question was put, which was upon the passage of the bill.

Upon which question, Mr. McDougald required the yeas and nays to be recorded, which are : yeas 35, nays 81.

Those who voted in the affirmative are, Messrs.

Adams,	Gartrell.	Hawkins,
Clements	Green,	Henderson,
Crawford,	Harrall	Hendrick,
Dawson,	Hardeman,	Jones,

Linn,	Paris,	L. S. Stewart,
Manor,	Powell,	J. Stewart,
McComb,	M. Reid,	Strother,
McCurdy,	G. R. Reid,	J. Taylor,
McDonald,	Richardson,	J. H. Walton,
McDougald,	Rowell	West,
McGregor,	J C Smith,	Young,
Moughon,	Stapleton,	

Those who voted in the negative are Messrs.

Alread,	Harris,	Pottle,
Anderson,	Harrison,	Powers
Andrews,	Hatton,	Radford,
Arnold,	Hamilton,	Redding,
Armstrong,	Headen,	Reynolds,
Bell,	Hood	Rice,
Bostwick,	Holland,	Riley,
Boatright,	Hudson,	N. Robinson,
Bridges	Irwin,	Rumph
Brown,	Keith,	Shewmake,
Cameron,	Latham,	J C Smith
Carlton	Leverett,	W. R. Smith,
Champion,	Mangham,	W Smith,
Clark,	Martin,	Staten,
Benj. Cleveland,	Masters,	Stephens.
Cody,	Maxwell	Strickland,
Denham,	Mays,	Sweat,
Dodds,	McLean,	Thornton,
Durden,	McMillan,	Trice.
Dial,	McMullin,	W A. Walton,
Fannin,	McWhorter	Walker,
Fields,	Mobley,	Whitworth,
Fish,	Moody,	H. L. Williams,
Grat t	Nichols,	A. J. Williams,
Gross,	Phillips,	Williamson,
W P. Harden,	Pickett,	Williford,
James Hardin,	Poole,	Yopp,

So the bill was lost.

Mr. Walton, of Richmond, from the committee on New Counties, makes the following report :

The Committee on New Counties, to whom was referred a bill to lay out and form a new county from the counties of Muscogee, Marion and Stewart, have had the same under consideration, and report, that the territory embraced within the limits defined in the bill, will be twenty-two miles in length and eighteen miles in width, and that it will contain

between seven and eight hundred voters, and pay \$2,500 to \$3,000 into the Treasury of the State for taxes. The Committee therefore report the bill without amendment, and recommend it to the favorable consideration of the House.

On motion of Mr. Walker a committee of three were appointed to communicate to the people of Alabama the disposition of the bill just acted upon. The committee appointed were, Messrs. Walker, McDougald and Phillips.

On motion of Mr. Clark, the House proceeded to reading the bills reported on yesterday evening, and laid upon the table until this morning.

Mr. Hawkins reported

A bill to be entitled an act to incorporate a bank under the name and style of the Farmers and Merchants Bank of Georgia, at Rome.

Mr. Mobley reported

A bill to be entitled an act to extend the corporate limits of the town of Hamilton, in the county of Harris.

Mr. Hardin, of Paulding, reported

A bill to be entitled an act to create an election precinct in the 1087th District. G. M., on the lot of land No. 731, 19th district, 3d section, of Paulding county.

Mr. Dubignon reported

A bill to be entitled an act to alter and change the mode of appointing trustees of Glynn County Academy, in Glynn county, and to compel their treasurer to give bond and security for the faithful performance of his duty. Also,

A bill to be entitled an act to authorize and require the tax collector of Glynn county to pay over the tax he may collect in said county for the political year 1854 to the Justices of the Inferior court for said county, and for other purposes therein specified.

Mr. Hardeman reported

A bill to be entitled an act to require guardians of free persons of color to register their names, and for other purposes therein named.

Mr. Williamson reported

A bill to be entitled an act to restrict and limit physicians and other practitioners of medicine in their charges for mileage.

Mr. Hawkins reported

A bill to be entitled an act to lay out and organize a new county from the counties of Campbell, Carroll, Paulding and Cobb, to provide for the location of the county site and public buildings, to prescribe the times of holding the Superior and Inferior Courts of said county, and for other purposes therein mentioned.

Mr. Williamson reported

A bill to be entitled an act for the benefit of John A. Morris, late tax collector of the county of Montgomery.



Mr. Clark reported

A bill to be entitled an act to allow widows of persons dying intestate, to choose and select their respective portion of the negroes of such estates, provided the same can be done without exceeding their distributive shares.

Mr. Stokes reported

A bill to be entitled an act to incorporate the Bushy Head Shoals Bridge Company, in Heard county, and for other purposes therein specified. Also,

A bill to be entitled an act to authorize the Justices of the Inferior Court of Heard county to levy an extra tax, to be called a ferry tax. Also,

A bill to be entitled an act to authorize John Thompson, of Heard county, to construct a mill dam partly across the Chattahoochee River, at or near the Bushy Head Shoals in said County.

Mr. McDougald reported

A bill to be entitled an act to permit all persons in this State to establish ferries and erect or build bridges on all water courses therein, on their own land, and to charge and collect toll from all persons, and vehicles, or stock crossing the same, and for other purposes therein named.

The following bill was taken up, read a second time and committed for a third reading, to wit :

A bill to be entitled an act to authorize the Governor to apply the amount of twenty-five thousand dollars to the redemption of any bounded liabilities of this State, &c.

Mr. McCurdy offered a resolution tendering the Representative Hall to Mr. Taylor, one of the commissioners of Alabama, which was taken up, read, and on motion of Mr. McCurdy, was withdrawn.

On motion of Mr. Arnold, the House then adjourned until 3 o'clock, P. M.

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### THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. Harden of Clarke, moved to suspend the rules, to take up for a third reading, the Senate bill to be entitled an act to incorporate the Stockholders of the Madison and Eastonton Rail Road Company ; which motion was agreed to.

Mr. Harden, of Clarke, offered the following amendment to the 1st Section : " And that the names of Isaac S. Vincent, M. S. Durham and A. M. Jackson, of the town of Watkinsville, P. W. Hutcherson and Barton Thrasher, Sr., of the county of Clarke ; and J. H. Newton, J. M. Billups and Y. L. G. Harris, of the town of Athens, be added immediately after the words "county of Putnam."

Mr. Harden also moved to amend the Second Section, by adding, after the words "Morgan county," the words "thence by Watkinsville, to Athens;" which was agreed to.

Mr. Harden also moved to amend the caption of said bill, by adding after the words "Madison and Eatonton," the words "Watkinsville and Athens;" which amendment was agreed to.

The report, as amended, was agreed to.

Mr. Trice moved that the bill be recommitted, to allow him to offer an amendment thereto; which was agreed to.

Mr. Trice offered the following amendment; which was adopted: "*Provided*, that nothing in this charter shall exempt said company from liability, and they are here made liable under existing laws, or in any other manner that the Legislature may by law provide, for all damages sustained by any individual, or individuals, from the loss or crippling of all kinds of stock, or any other species of property whatever, by the running of the locomotive, cars, engines, or any other motive power, on said road; and also are, and shall be liable, for all injuries received by any individual, or individuals, or damage done him, her or them, by the running said cars, engines, locomotives, or any other motive power on said road; and in the event death ensue, then the right of action or recovery, shall survive to his, her or their representative or representatives, against said company, for said damages. And in all suits and controversies arising from causes aforesaid, the said company shall be considered as "*prima facie*" at fault, and the burden of proof, shewing themselves excusable, shall rest upon said company. And,

"*Provided, further*, That the stock in said company shall, at all times be subject to such taxes as the present, or any future Legislature, may desire to levy on the same."

The report of the committee, as amended, was agreed to; the bill was read the third time and passed.

On motion of Mr. Harrison, the rules of the House were further suspended, and the House took up the report of the committee on the bill to be entitled an act to incorporate a Company to be called the Western & Atlantic Rail Road Company, and to lease, and let to the said company, the Western & Atlantic Rail Road, for the term of twenty years.

Mr. Gartrell moved to lay the bill on the table for the balance of the session.

Upon which motion, Mr. Dial required the yeas and nays to be recorded, which are: yeas 47, nays 63.

Those who voted in the affirmative are, Messrs

Alread,  
Bridges,  
Clements,  
Crawford,

Crittenden,  
Dawson,  
Denham,  
Eberhart,

Fields,  
Fish,  
Gartrell,  
James Hardin,

Hatton,	McGregor,	G. K. Smith,
Hays,	McMullin,	W. R. Smith,
Hawkins,	Moughon,	L. S. Stewart,
Headen,	Phillips,	Sweat,
Henderson,	Pottle,	D W Taylor
Jones	M. Reid,	J. H. Walton,
Latham,	Rice,	Whitworth.
Leverett,	N Robinson,	H. L. Williams,
Linn,	Rowell	Williamson,
Masters,	Rumph	Young.
Manor	Shewmake,	Yopp,
Mays,	Shine,	

Those who voted in the negative are, Messrs.

Adams,	Harrall,	Powers,
Anderson,	Hardeman,	Radford,
Arnold,	Hamilton,	G R. Reid,
Bell,	Hood	Reynolds,
Bostwick,	Hudson,	Riley,
Carlton,	Irwin.	R. A. Robinson,
Champion,	Keith,	J C Smith
Clark,	Mangham,	W. Smith.
Benj. Cleveland,	Martin	Stapleton,
Cody,	Maxwell.	Staten,
Dodds	McCurdy,	J. Stewart,
Dubignon,	McDonald,	Stokes,
Durden,	McDougald.	Strickland,
Dial,	McLean,	Strother.
Fannin,	McWhorter,	Thornton,
Grant,	Mobley,	Trice,
Green	Moody,	Turner,
Gross,	Nichols,	W. A. Walton,
W. P. Harden,	Paris,	Walker,
Harris,	Pickett,	A. J. Williams,
Harrison,	Poole,	Williford,

So the motion to lay upon the table was lost.

Mr. Latham moved to postpone the bill until Monday next.

Upon which motion, Mr. Dial required the yeas and nays to be recorded, which are: yeas 36, nays 61.

Those who voted in the affirmative are Messrs.

Arnold	Denham	Green.
Bostwick	Fields	Headen
Benj Cleveland	Gartrell	Hood
Crawford	Grant	Hudson

Jones	G: R. Reid,	Stokes
Latham	M. Reid,	Strother
Linn	Rice	D W Taylor
Mangham	R. A. Robinson,	Thornton
McGregor	Rowell	Trice,
Nichols	Shine	J H Walton
Phillips	G K Smith	H L Williams
Pottle	W Smith	Williamson

Those who voted in the negative are, Messrs.

Adams	Irwin	Richardson
Alread	Leverett	Riley
Anderson	Martin	N Robinson
Andrews	Masters	Rumph,
Bell	Maxwell	W R Smith
Bridges	Manor	Stapleton
Clark	Mays	Staten
Clements	McDonald	L S Stewart
Cody	McDougald,	J Stewart
Dodds,	McLean	Strickland
Dubignon	McMullin	Sweat
Dial	McWhorter	J Taylor
Fish	Mobley	W A Walton
Gross	Moody	Walker
W P Harden	Moughon	Whitworth
James Hardin	Paris	A J Williams
Harris	Pickett	Williford,
Harrison	Poole	Young
Hawkins	Powers	Yopp
Hamilton	Radford	
Holland	Reynolds	

So the motion to postpone was lost

On motion of Mr. Hardeman, the bill was taken up by sections.

Mr. Walker offered the following amendment, to wit:

"That his Excellency, the Governor be, and he is hereby authorized to advertise and receive sealed proposals for the term, of the State road—its engines, cars and other appurtenances, upon the terms specified in this act; and upon the receipt of such proposals, to execute a lease for the same to the person or persons, offering the largest amount for the same—provided, that no lease shall be made for a less sum annually, than three hundred thousand dollars, to be paid as hereinafter specified; and that said lease shall be for the term of twenty years."

Mr. Walker moved to fill the blank by specifying the

amount for which the road should be leased, with three hundred thousand dollars ; which was agreed to.

Mr. Harrison moved to amend, by striking out "twenty years,"

Upon which motion, Mr. Crawford required the yeas and nays to be recorded, which are ; yeas 48, nays 62.

Those who voted in the affirmative are Messrs.

Alread,	Headen,	M. Reid,
Andrews	Henderson	Rice,
Arnold	Holland,	Richardson,
Benj. Cleveland,	Leverett,	N. Robinson,
Clements,	Linn,	Rowell
Crawford,	Martin	G. K. Smith
Denham,	Manor,	W. R. Smith,
Fields,	Mays,	W. Smith,
Fish,	McGregor,	Stokes,
Gartrell	Moughon,	Strickland,
J. Hardin;	Nichols,	J. Taylor,
Harrison,	Paris,	D. W. Taylor,
Hatton,	Phillips,	Trice,
Hays.	Pickett,	Whitworth,
Hawkins,	Pottle	H. L. Williams,
Hamilton,	G. R. Reid,	Young

Those who voted in the negative are, Messrs.

Adams,	W. P. Harden,	Reynolds,
Anderson	Harris,	Riley,
Bell,	Harrall,	R A Robinson
Bostwick,	Hardeman,	Rumph
Bridges,	Hood	Shewmake,
Brown,	Hudson,	J C Smith
Cameron,	Irwin,	Stapleton,
Carlton,	Jones,	Staten,
Champion,	Keith,	L S Stewart
Clark,	Latham,	J. Stewart,
Cody,	Maxwell,	Strother,
Dawson,	McCurdy,	Sweat,
Dodds,	McDonald,	Turner,
Dubignon	McDougald,	W A Walton
Durden	McLean,	J. H. Walton,
Dial,	McMullin,	Walker,
Fannin.	McWhorter	West,
Grant,	Mobley,	A. J. Williams.
Green,	Moody,	Williamson,
Gross,	Powers,	Williford,
	Radford,	Yopp.

So the motion to strike out was lost.

Mr. Gartrell offered the following amendment to Mr. Walker's amendment to wit: "*provided*, said company shall not charge more than three cents per mile for all grown free white persons travelling on said road. and half price for slaves, and nothing for children; and the same rates of freights now charged on said road, and no more."

Upon which the yeas and nays were required to be recorded, upon the call of Mr. Trice, which are: yeas 47, nays 66.

Those who voted in the affirmative are, Messrs.

Alread,	Keith,	Rice,
Andrews,	Latham,	N. Robinson,
Bridges,	Leverett,	Shine,
Crawford,	Linn	G K Smith
Crittenden,	Mangham,	L S Stewart,
Denham,	Martin	J. Stewart,
Dial,	Masters,	Stokes,
Fields.	Manor,	Strickland,
Gartrell,	Mays,	J. Taylor
Griffin,	McCurdy,	D W Taylor
J. Hardin,	McGregor,	Trice,
Hays,	Paris,	Whitworth.
Hawkins,	Phillips	H. L. Williams,
Headen,	Pottle	Young.
Henderson,	G. R. Reid	Yopp.
Holland,	M. Reid,	

Those who voted in the negative are, Messrs.

Adams,	Grant,	Moody.
Anderson,	Gross	Moughon
Arnold	W P Harden	Pickett,
Armstrong,	Harris,	Poole,
Bell	Harrison	Powers
Bostwick	Harrall	Radford,
Brown	Hatton,	Reynolds,
Cameron,	Hardeman	Richardson,
Carlton,	Hood	Riley.
Champion	Hudson,	R A Robinson,
Clark	Irwin,	Rumph,
Benj. Cleveland,	Jones,	Shewmake,
Cody,	Maxwell,	J C Smith
Dawson,	McDonald,	W R Smith,
Dodds	McDougald,	W. Smith,
Dubignon,	McLean,	Stapleton,
Durden,	McMullin,	Staten,
Fannin	McWhorter	Strother,
Fish,	Mobley,	Sweat,

Thornton,	J. H. Walton,	A J Williams,
Turner,	Walker,	Williamson
W A Walton	West	Williford

So the amendment was lost.

Mr. Pickett offered the following amendment, as an amendment to Mr. Walker's amendment, to wit :

*"Provided, said company shall not charge more fare or freight than is usual on other Rail Roads in this State;"* which was agreed to.

Upon the question of adopting the amendment of Mr. Walker, as amended, Mr. Gartrell required the yeas and nays to be recorded, which are : yeas 68, nays 35

Those who voted in the affirmative are Messrs.

Adams,	W P. Harden,	G. R. Reid,
Anderson,	Harris,	Reynolds,
Arnold,	Harrison,	Richardson,
Armstrong,	Harrall,	R. A. Robinson,
Bell,	Henderson,	N. Robinson,
Bostwick,	Hood	Shewmake,
Boatright	Hudson,	J. C. Smith,
Bridges,	Irwin,	W. R. Smith.
Brown,	Jones,	Stapleton,
Cameron.	Keith,	Staten,
Carlton.	Maxwell,	J. Stewart,
Champion,	McDonald,	Strother,
Clark.	McDougald,	Thornton,
Benj. Cleveland,	McLean,	Turner,
Cody,	McMullin,	W. A. Walton,
Dodds	McWhorter.	Walker,
Durden	Mobley,	H. L. Williams,
Dubignon,	Moody,	A. J. Williams,
Fannin,	Paris,	Williamson,
Fish,	Pickett,	Williford,
Grant,	Poole,	Yopp
Griffin,	Powers,	
Gross,	Radford,	

Those who voted in the negative are Messrs.

Alread,	Fields,	Headen,
Andrews,	Gartrell,	Holland,
Crawford,	J Hardin,	Latham,
Crittenden,	Hatton	Linn,
Denham	Hays,	Masters
Dial,	Hawkins	Manor,

Mays,	Shine,	D. W. Taylor.
McCurdy,	G. K. Smith,	J. H. Walton,
Pottle,	L S Stewart,	West
M. Reid,	Stokes,	Whitworth,
Rice	Strickland,	Young
Riley,	J. Taylor,	

So the amendment was adopted.

Mr. Gartrell moved to amend the 1st Section, as follows :  
*"Provided, That no incorporated Bank or Rail Road Company, shall hold stock, or become the lessee of said Road."*

Mr. Gartrell moved the adoption of the amendment. Upon which motion he required the yeas and nays to be recorded which are : yeas 8, nays 88.

Those who voted in the affirmative, are Messrs.

Crawford,	Gartrell,	Phillips,
Crittenden,	Latham.	Young,
Denham,	Masters,	

Those who voted in the negative are Messrs.

Adams,	W. P. Harden,	Mobley,
Alread,	J. Hardin,	Moody,
Anderson,	Harris,	Moughon,
Arnold	Harrison,	Nichols,
Armstrong,	Harrall,	Paris,
Bell,	Hardeman,	Pickett.
Bostwick,	Hawkins,	Poole,
Bridges	Headen,	Pottle,
Brown,	Henderson,	Powers.
Cameron,	Hood	Radford,
Champion,	Hudson,	G. R. Reid,
Clark,	Irwin,	M Reid,
Benj. Cleveland,	Jones	Reynolds,
Cody,	Keith,	Rice,
Dawson,	Leverett,	Richardson,
Dodds,	Mangham,	Riley,
Dubignon.	Manor,	R. A Robinson,
Durden	Mays,	N. Robinson,
Dial,	McCurdy,	Rumph,
Fields,	McDonald,	Shewmake,
Fish,	McLean,	J. C. Smith,
Griffin,	McMullin,	W R. Smith,
Gross,	McWhorter	Stapleton,



Staten	Thornton,	H. L. Williams,
L. S. Stewart,	Turner	A. J. Williams,
J. Stewart,	J. H. Walton,	Williamson,
Strickland,	W A. Walton,	Williford,
Strother,	Walker,	Yopp.
Sweat.	West,	
J. Taylor,	Whitworth,	

So the amendment was lost.

Mr. Walker moved to amend the 1st Section by inserting the word "lessee;" which motion was agreed to.

Mr. Walker also moved to amend the 1st Section by striking out the words "in manner hereinafter provided."

Mr. Walker then moved to amend the bill, by "striking out the whole of the 3d Section."

Upon which motion, Mr. Gartrell required the yeas and nays to be recorded, which are : yeas 68, nays 21.

Those who voted in the affirmative are, Messrs

Anderson	Hardeman,	Riley,
Arnold.	Henderson,	R A Robinson
Armstrong,	Hood,	N Robinson
Bell,	Irwin,	Rumph,
Bostwick,	Jones	Shewmake,
Brown,	Leverett,	J. C. Smith,
Clements,	Masters,	Stapleton.
Carlton,	Maxwell,	Staten,
Champion,	McCurdy,	L. S. Stewart,
Clark,	McLean,	J Stewart
Dawson,	McMullin,	Strother,
Dodds	McWhorter,	Sweat,
Dubignon	Mobley,	J. Taylor,
Durden,	Moody	Thornton,
Fannin,	Moughon	Turner,
Grant,	Paris,	J H Walton,
Green	Pickett,	W. A. Walton,
Griffin,	Pottle,	Walker,
Gross,	Powers.	A. J. Williams
W. P. Harden,	Radford,	Williamson,
Harris,	G. R. Reid,	Williford,
Harrison,	Reynolds	Yopp.
Harrel,	Richardson,	

Those who voted in the negative are, Messrs.

Alread,	Clements	Denham,
Benj. Cleveland,	Crawford,	Dial,

Fields,  
Gartrell,  
Hays,  
Keith,  
Latham,  
Linn,

Mangham,  
Manor,  
Mays  
McGregor,  
M. Reid,  
Rice,

West,  
Whitworth,  
H. L. Williams.  
Young.

So the motion to strike out prevailed.

Mr. McCurdy introduced a resolution granting the Representative Hall to Mr. James E. Vinton on Sunday evening, 29th inst., and the members of the Legislature are invited to attend said lecture at 7 o'clock, P. M. ; which resolution was adopted.

On motion of Mr. McDougald, the rules were further suspended and the house took up the report of the committee on the bill to be entitled an act to lay out and form a new county from the counties of Muscogee, Marion and Stewart, and organize the same.

On motion of Mr. McDougald, the first Monday in March was inserted in the first blank ; which was agreed to.

Mr. McDougald moved that the second blank be filled with "Sand Town."

Mr. McDougald moved to amend the fourth section as follows: "And be it further enacted that James R. Lowe, William Bagley, and D McGlann, William Wooldridge and Joshua R. McCook be, and they are hereby appointed commissioners, a majority of whom shall have power to locate the county site and public buildings for said county ;" which amendment was adopted.

Mr. McDougald moved to amend by filling the blank in the eighth section with "the first Monday in June and December, and the second Monday in April and October ;" which was agreed to.

Mr. McDougald offered the following amendment, to come in immediately preceding the repealing clause, to wit :

*"And be it further enacted,* That said county shall be added to the Chattahoochee Circuit, and the division and brigade to which Muscogee county is attached, and also added to the second congressional district, and shall be known and called by the name of ——— ;" which was adopted.

Mr. Thornton moved to fill the blank in Mr. McDougald's amendment with "Chattahoochee ;" which was agreed to, and the report of the Committee, as amended was agreed to, and the bill was read the third time and passed.

Mr. Pickett moved to suspend the rules of the House to take up for the first reading a bill of the Senate ; which motion was lost.

Mr. Pottle moved that the House adjourn until half past nine o'clock, to-morrow morning.

Upon which motion Mr. Walker required the yeas and nays to be recorded, which are : yeas 55, nays 39:

Those who voted in the affirmative are, Messrs.

Adams,	Hays,	Powers,
Alread,	Hawkins,	G R Reid
Andrews,	Hamilton,	Rice,
Arnold,	Headen,	Riley,
Bell,	Henderson,	R. A. Robinson,
Bostwick,	Holland,	G K Smith,
Bridges,	Keith,	Stapleton,
Champion	Latham,	Staten,
Crawford,	Leverett,	L S Stewart
Crittenden,	Linn,	Strickland,
Dawson,	Mangham,	J. Taylor,
Dubignon,	Masters,	Thornton,
Dyal,	Mays,	West
Fields,	McCurdy,	Whitworth,
Gartrell,	McDonald,	H. L. Williams,
Grant	McDougald,	A. J. Williams,
Griffin,	Moughon,	Young.
Harrall	Paris,	
Hardeman,	Pottle,	

Those who voted in the negative are Messrs.

Anderson,	Irwin,	M. Reid,
Cameron,	Maxwell,	Richardson
Carlton	Manor,	Rumph,
Clark,	McGregor,	Shewmake,
Benj. Cleveland,	McLean,	W. R. Smith,
Clements,	McMullin,	J. Stewart,
Dodds,	McWhorter,	Sweat,
Fannin,	Mobley,	D. W. Taylor
Gross.	Moody.	Turner,
W. P. Harden,	Nichols,	W. A. Walton.
Harrison,	Phillips,	Walker,
Hatton,	Pickett,	Williamson,
Hood,	Radford	Yopp.

So the motion prevailed and the House adjourned until half past nine o'clock, to-morrow morning.

FRIDAY, JANUARY 27th, 1854.

The House met pursuant to adjournment.

Mr. Stapleton moved to reconsider so much of the Journals of yesterday, as relates to the rejection of the bill, to be entitled an act to extend the North East and South West Alabama Rail Road.

Pending which, the following message was received from the Senate by Mr. Moore, their Secretary to wit :

*Mr. Speaker*—The Senate has passed the following bills, to wit :

A bill to change the line between the counties of Walker and Gordon, and to attach a portion of Walker to Gordon—the line between the counties of Walker and Catoosa, and, also, the line between the counties of Macon and Taylor.—Also,

A bill to incorporate the German Fire Company of Savannah. Also,

A bill to incorporate the Baptist Female Orphan School. Also,

A bill to incorporate the Bellville Factory. Also,

A bill to amend an act entitled an act to incorporate the city of Oglethorpe, and to alter and amend an act to incorporate the town of Oglethorpe, in the county of Macon, approved January 22d, 1852. Also,

A bill to incorporate the Orphan's Home of the Protestant Episcopal Church, in Chatham county. Also,

A bill to amend an act entitled an act to incorporate the Carrollton Rail Road Company, approved January, 1852.—Also,

A bill to require the Receivers of Tax Returns in the several counties of this State, to ascertain the number of children in their respective counties, between the ages of 8 and 16 years, and for other purposes. Also,

A bill to amend the act of the 4th of December, 1799, in relation to the manner of arriving at the damages sustained by the laying out of public roads in this State, so far as relates to the county of Floyd.

The Senate has, also, passed the bill of the House of Representatives, to incorporate the Eatonton and Monticello Rail Road Company.

Upon the motion to reconsider the bill, to extend the Northeast and Southwest Alabama Rail Road. Mr. Shewmake required the yeas and nays to be recorded, which are : yeas 45, nays 70.

Those who voted in the affirmative are, Messrs.

Adams,	Clements,	Dawson,
Andrews,	Crawford,	Denham,
Bridges,	Crittenden,	Gartrell,

Griffin,	Moughon	Stapleton,
James Hardin,	Paris,	L. S. Stewart,
Harrall,	Powell	J. Stewart,
Hawkins,	Radford,	Stokes,
Jones,	G. R. Reid,	J. Taylor,
Leverett,	M. Reid,	D W Taylor
Linn,	Richardson,	J H Walton,
McComb,	N. Robinson,	West,
McCurdy,	Shine,	H. L. Williams,
McDonald,	J. C. Smith,	Wilson,
McDougald,	G. K. Smith,	Young,
McGregor,	Wm. Smith,	Yopp.

Those who voted in the negative are Messrs.

Alread,	Hatton,	Poole,
Anderson,	Hardeman,	Pottle,
Arnold,	Hays,	Reynolds,
Armstrong,	Hamilton,	Rice,
Bell,	Headen	Riley,
Bostwick,	Hood,	R A Robinson
Brown,	Holland,	Rumph,
Cameron.	Hudson,	Shewmake,
Carlton,	Irwin,	W. R. Smith.
Champion,	Latham,	Staten.
Clark,	Mangham,	Strickland,
Benj. Cleveland,	Masters	Strother,
Cody,	Maxwell,	Sweat,
Dodds,	Manor,	Thornton,
Dubignon,	Mays,	Trice,
Durden	McLean,	Turner,
Dial,	McMillan,	W. A. Walton,
Fannin,	McMullin,	Walker,
Fields,	McWhorter,	Whitworth,
Fish,	Mobley,	A. J. Williams,
Grant,	Moody	Williamson,
W. P. Harden,	Nichols	Williford.
Harris,	Phillips	
Harrison,	Pickett,	

So the motion to reconsider was lost.

Mr. Crawford moved to reconsider so much of the Journals of yesterday, as relates to the action of the House on the bill to be entitled an act to lease the Western and Atlantic Rail Road; which motion was lost.

Mr. Williams, of Sumter, moved to suspend the rules, to take up the Senate bill to be entitled an act to alter the sessions of the Supreme Court at Milledgeville and Gainesville—to change and fix the times of holding the Superior

and Inferior Courts in the counties therein specified—to attach the county of Carroll to the Coweta circuit, and to make valid certain processes and proceedings in the Court of Common Pleas of the city of Augusta, and for other purposes; which motion was agreed to.

Mr. Reid, of Irwin, moved to amend the 3d Section, by striking out “Friday,” and inserting “Thursday;” which was agreed to.

Mr. Cleveland, of Habersham, moved to amend, by adding to the 4th Section, the following words, to wit: “Also, that the Superior Court for the county of Rabun, commence on the last Thursday in September, and on the first and second Mondays in October next, for the county of Habersham, for one term only; and that the Sheriff of Habersham summon two sets of Jurors, one for the first week, and the other panel for the second week;” which was adopted.

Mr. Bell moved to strike out Sumter county, as to Superior Courts.

Upon which motion, the yeas and nays were required to be recorded, upon the call Mr. Bell, which are: yeas 38, nays 53.

Those who voted in the affirmative are, Messrs.

Adams,	Hardeman,	G R Reid
Andrews,	Hays,	Rumph,
Bell,	Hawkins,	W Smith,
Brown,	Holland,	Staten
Crittenden,	Hudson,	Strickland,
Dawson	Latham	J. Taylor,
Dubignon	Maxwell,	Thornton,
Durden,	Manor,	J. H. Walton,
Fannin.	McDougald,	H. L. Williams,
Griffin,	McLean,	Williford,
Gross,	McMillan	Young,
W P Harden	Pottle,	Yopp,
Harrison,	Powell.	

Those who voted in the negative are Messrs.

Alread,	Crawford,	Headen,
Arnold	Denham,	Henderson,
Bostwick,	Dodds,	Hood,
Cameron,	Dial,	Irwin,
Carlton,	Fish,	Jones,
Champion.	Gartrell,	Linn,
Benj. Cleveland,	Harris,	Mangham,
Cody,	Harrall,	Masters,

McCurdy,	Radford,	Strother,
McGregor,	M. Reid,	Sweat,
McMullin,	Reynolds.	D. W. Taylor,
McWhorter,	Richardson.	Trice,
Mobley,	N. Robinson,	W. A. Walton,
Moody.	Shewmake,	Walker,
Nichols,	W. R. Smith,	West.
Phillips,	Stapleton,	Whitworth,
Pickett,	L. S. Stewart,	A. J. Williams,
Poole,	J Stewart	

So the motion was lost.

Mr. Hawkins moved to strike out the 6th Section ; which was agreed to.

Mr. Hawkins offered the following amendment ; which was adopted, in lieu of the 6th Section, to wit : "That the Superior Court of Floyd county to be held on the fourth Monday in May and November of each and every year, with the privilege of holding three weeks, if necessary, under the rules and regulations as now exist by law ; and also, that the Superior Court of Chattooga be held on the first Monday in March and September, in each and every year ; and the county of Whitfield, the second and third week in April and October ; and the county of Catoosa, the fourth week in April and October ; and that all writs, processes and subpoenas, apply to the several times as stated ;" which amendment was adopted.

Mr. Fannin moved to strike out "Carroll county," from the 8th Section.

Upon which, the yeas and nays were required to be recorded, upon the call of Mr. Fannin, which are : yeas 40, nays 59.

Those who voted in the affirmative are Messrs.

Alread,	Harrall,	Shewmake,
Anderson,	Hardeman	Stapleton,
Arnold,	Hood,	Staten,
Armstrong,	Maxwell,	L. S. Stewart
Bell	McCurdy	Strother,
Bostwick.	McDougald,	Thornton
Cameron,	McWhorter,	W A. Walton,
Carlton,	Mobley.	J H Walton,
Champion	Moody,	Walker.
Clark	Pottle	A. J. Williams,
Fannin.	Powell,	Williamson,
Gross,	Radford,	Williford,
W P. Harden,	Reynolds,	
Harris,	Richardson,	

Those who voted in the negative are, Messrs.

Adams,	Holland,	Poole,
Andrews,	Hudson,	G. R. Reid
Bridges,	Irwin,	M. Reid,
Brown,	Jones.	Rice,
Benj. Cleveland,	Lathem	Riley,
Clements	Leverett,	N. Robinson
Crawford	Linn,	Rumph
Crittenden,	Mangham,	W. R. Smith,
Dawson,	Masters	W. Smith,
Dodds,	Manor,	J Stewart,
Durden	Mays,	Strickland,
Fields,	McDonald,	Sweat,
Fish,	McGregor	J. Taylor,
Gartrell,	McLean,	D. W. Taylor,
Griffin,	McMullin,	Turner,
J. Hardin,	McMillan,	West
Hays,	Moughon	Whitworth,
Hawkins	Nichols	H. L. Williams,
Headen,	Paris,	Young,
Henderson,	Pickett	

So the motion was lost.

On motion of Mr. Whitworth, the House adjourned until 3 o'clock, P. M.

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### THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

The House resumed the consideration of the bill, to be entitled an act to alter the sessions of the Supreme Court at Milledgeville and Gainesville, and to change and fix the times of holding the Superior and Inferior Courts in the counties therein specified, &c.

Mr. Richardson offered the following amendment ; which was adopted :

*"And be it further enacted, That the Court of Ordinary of Lee county shall hereafter hold its session on the third Monday in every month."*

Mr. Dodds offered the following amendment ; which was agreed to :

*"And be it further enacted, That the time of holding the Inferior Courts in and for the county of Coweta, be changed from the fourth Monday in June and December, to the first Monday in June and December."*



Mr. Bell offered the following amendment ; which was agreed to :

*"And be it further enacted, That the Spring term of the Superior Court of Stewart county be changed from the fourth Monday in April to the third Monday in April."*

Mr. Alread offered the following amendment, to come in after the 9th Section : *"And the Superior Court of the county of Pickens, be held on the third Monday of February and August."*

Mr. Clark moved to refer the bill and amendments to the Judiciary Committee ; which was lost.

Mr. Riley offered the following amendment ; which was agreed to :

*"And be it further enacted, That the Judge of the Superior Court of the county of Lumpkin, shall have power to draw two panels of Grand and Petit Jurors for said county, and to specify the time when he will hold an adjourned term of the Superior Court of Lumpkin, which he is hereby authorized to hold."*

Mr. Mobley offered the following amendments ; which were agreed to, to wit :

*"SEC. — And be it further enacted by the authority aforesaid, That said county of Decatur shall have two weeks, instead of one, for the terms of said Superior Court ; that the Judge of said Superior Courts shall hereafter draw two panels of Grand and Petit Jurors for each term of said Superior Courts—the panel for the first week to be known as jury No. 1, and the panel for the second week to be known as jury No. 2."*

*"SEC. — And be it further enacted by the authority aforesaid, That the Justices of the Inferior Courts of said county of Decatur, are hereby authorized and required to meet at the Court House, on the first Monday in March next, and draw from the jury box in said county another panel of Grand and Petit Jurors, to serve the second week, at the next term of said Superior Court, under this act."*

Mr. Crittenden offered the following amendment ; which was agreed to, to wit : *"And, also, the Inferior Court of Spaulding county, be changed from the third Monday in January and July, to the third Monday in February and August."*

Mr. McGregor offered the following amendment ; which was adopted : *"That the Superior Courts of Polk be held the fourth Monday of February and August."*

The report of the committee, as amended, was agreed to. The bill was read the third time and passed.

On motion, leave of absence was granted to Messrs. Boatright and Harrison.

On motion of Mr. Masters. the rules of the House were suspended, and the House took up the Senate resolution, in

reference to the Joint Committee to confer and report upon some early day, for the adjournment of this General Assembly ; which was read and agreed to.

The committee appointed by the House to confer with the Senate Committee are, Messrs. Masters, Walker, Gartrell, McCurdy, Thornton, McLean and Headen.

On motion of Mr. Williams, of Sumter, the Clerk was directed to transmit immediately to the Senate, a bill to be entitled an act to alter the sessions of the Supreme Court at Milledgeville and Gainesville, and to change and fix the time of holding the Superior and Inferior Courts in certain counties, &c.

The following message was received from the Senate, by Mr. Moore, their Secretary :

*Mr. Speaker*—The Senate has passed the following bills, to wit :

A bill to incorporate the Dahlonga Testing and Mining Company, under such process as they may deem best, for gold, copper, or other mineral. peculiar to the gold region of Georgia. Also,

A bill to change the name of the Perry Baptist Female Seminary, located at Perry, Houston county, Georgia, to that of Houston Female College—to incorporate the same, and confer certain privileges upon the Board of Directors therein named. Also,

A bill of the House of Representatives, to incorporate the Wills Valley Rail Road Company, with an amendment, in which they ask the concurrence of the House of Representatives.

On motion of Mr. Harris, the House took up the message of the Senate, on the bill to be entitled an act to authorize the Wills Valley Rail Road Company, incorporated by the Legislature of Alabama, and any Rail Road Company, incorporated by the Legislature of Alabama, that may be associated with the Wills Valley Rail Road Company, to construct a Rail Road through the county of Dade, &c., and concurred in the amendments thereto.

Mr. Gartrell, from the Committee on Enrolment, reported as duly enrolled, a bill to be entitled an act to incorporate the Eatonton and Monticello Rail Road Company.

On motion of Mr. Armstrong, the order was suspended, and the following Senate bill was taken up, read a second time, and made the special order of the day for Tuesday, 31st January instant.

A bill to be entitled an act for the pardon of John D. Malone, otherwise called John D. Hall, of the county of Greene, now confined in the Penitentiary, for the crime of murder.

On motion of Mr. Mobley the rules of the House were further suspended, and Mr. Mobley reported.

A bill to be entitled an act to apportion the representatives among the several counties of this State, according to the 7th section of the 1st article of the Constitution.

The rules of the House being suspended Mr. Gross introduced the following resolution; which was read as follows :

*Resolved*, That his Excellency the Governor be requested to send to the clerk of the Superior Court of Scriven county, twenty copies of the acts and journals of the present Legislature, over and above what said county is entitled to, to be distributed by him to the commissioners of the Roads and Ferries of said county, and the remainder to the attorneys of said county, if any remain.

The House resumed the consideration of the bill to be entitled an act to incorporate a company, to be called the Western and Atlantic Rail Road Company, and to lease and let to said company, the Western and Atlantic Rail Road, for the term of twenty years.

The third section was read and adopted, as amended by Mr. Walker.

On motion of Mr. Walker, the 1st paragraph of the 5th section was stricken out, and the words, "be it further enacted," inserted, and also the words, "specified in said proposal and lease, provided good bonds and security be given for said rent."

On motion of Mr. Irwin, the latter clauses of the 3rd and the 4th paragraphs were stricken out, and the following adopted in lieu thereof, to wit :

"That no additional equipments, iron, fixtures, materials, buildings, embankments for new turnouts or double tracks, or repairs of any kind whatsoever shall, under any circumstances, be charged to the State, and the lessee shall be compelled to return the said road at the expiration of said lease, in a condition at least as good as that in which it was received."

Mr. Walker moved to amend the bill, by striking out the whole of the sixth paragraph of the 5th Section; which motion was lost.

Mr. Reynolds moved to amend the sixth paragraph of the 5th section, by striking out all after the word, "repairs;" which was agreed to.

Mr. Crawford moved to add to the seventh paragraph of the 5th section, the following, to wit :

"And for the faithful performance of the contract made by the State for carrying the mail, the lessee shall give to the Governor, for the time being, bond and good security, in a sum to be by him approved for that purpose;" which was adopted.

Mr. Gartrell moved to amend the 8th paragraph of the

5th section, by adding after the words, "thirty days," the following :

"It shall be the duty of the Governor of the State, for the time being, and lawful for any special agent to take possession of the Road and all of its appurtenances and equipments and terminate the said lease, absolutely and entirely, and he is required to appoint a Superintendent and other officers, to take charge of the said Road, with all of its appurtenances, and that the Comptroller General, under the direction of the Governor, shall have power to issue a distress warrant for the amount of rent due all the property of the lessee company and they shall be subject to said distress warrant without further legal proceedings;" which was adopted.

Mr Griffin offered the following amendment to the 8th section, to wit :

"And that said company shall pay one year's rent before taking charge of said Road, to the Governor of this State." \*

Mr. Griffin moved the adoption of the amendment, upon which Mr. Young called for the yeas and nays, which are : yeas 41, and nays 59.

Those who voted in the affirmative are Messrs.

Alread,	Hawkins,	G. R. Reid,
Anderson,	Headen,	Rice,
Clements,	Henderson	Rumph.
Crawford,	Holland,	G. K. Smith,
Crittenden,	Hudson,	W. R. Smith,
Denham,	Latham,	W. Smith,
Durden,	Leverett,	Stokes,
Dial,	Linn,	Sweat,
Fields,	Masters,	J. Taylor,
Fish,	Manor,	D. W. Taylor,
Gartrell,	Mays	Trice,
Griffin,	McGregor,	Whitworth,
James Hardin,	Pickett,	Young,
Hays	Poole,	

Those who voted in the negative are, Messrs.

Adams,	Carlton,	Grant,
Anderson,	Champion,	Green
Arnold,	Clark	Gross,
Bell,	Benj. Cleveland,	W. P. Hardin,
Bostwick,	Dawson	Harris,
Bridges,	Dodds	Harrison,
Brown,	Dubignon,	Harrall
Cameron,	Fannin,	Hardeman,

Hood	Nichols,	Strother
Irwin,	Paris,	Thornton,
Mangham	Pottle,	Turner,
Maxwell,	Radford	J. H. Walton,
McCurdy,	Reynolds	W A. Walton,
McDonald,	Richardson	Walker,
McLean,	Riley,	A. J. Williams.
McMillan,	R. A Robinson,	H. L. Williams,
McMullin,	N. Robinson,	Wilson
McWhorter,	Shewmake	Williford,
Mobley,	L. S. Stewart,	Yopp.
Moody,	J. Stewart	

So the motion was lost.

Mr. Young moved to amend the ninth clause of the 5th section, by adding the following proviso, to wit :

“*Provided*, Said State shall not pay the expenses of any law suit or litigation that said company may have, for damage done to any person or property whatever, after the beginning of the lease;” which was agreed to.

Mr. Reynolds moved to strike out the first clause of the eleventh paragraph of the 5th section; which was agreed to.

Mr. Clements moved to add the following proviso to the 5th section :

“*Provided*, Said State of Georgia shall not be liable for any costs or damages in consequence of such law suits;” which was adopted.

Mr. Irwin moved that the House adjourn until to-morrow morning half-past 9 o'clock.

Upon which motion the yeas and nays were required to be recorded—upon the call of Mr. Adams—which are: yeas 70, nays 32.

Those who voted in the affirmative are, Messrs.

Anderson,	Crawford,	Harris,
Armstrong,	Crittenden	Hardeman,
Bell,	Dawson,	Hamilton
Bostwick,	Denham,	Headen,
Bridges	Dodds	Holland
Brown	Dubignon	Hudson,
Cameron,	Gartrell.	Irwin,
Champion,	Green,	Jones,
Clark,	Griffin	Latham,
Benj. Cleveland,	Gross,	Leverett,
Clements.	James Hardin,	Linn
Cody,	W. P. Harden,	Maxwell,

Manor,	G. R. Reid,	J. H. Walton,
Mays,	Riley,	W. A. Walton,
McDougald,	Rumph,	Walker,
McGregor,	G. K. Smith,	Whitworth.
McMillan,	Staten,	A. J. Williams
McMullin,	L. S. Stewart,	Williamson,
McWhorter,	Stokes,	Wilson,
Mobley,	Strickland,	Williford,
Paris	Strother	Young,
Poole,	Sweat	Yopp.
Pottle,	J. Taylor,	
Radford,	Thornton	

Those who voted in the negative are, Messrs.

Adams	Hays,	Rice,
Alread,	Henderson,	Richardson,
Andrews	Hood	R. A. Robinson,
Arnold	Mangham,	N. Robinson,
Carlton,	Masters,	Shewmake,
Durden,	McCurdy,	W. R. Smith,
Fields,	McLean,	J. Stewart,
Fish,	Moody,	D. W. Taylor
Harrison	Nichols,	Turner,
Harrall,	Pickett,	H. L. Williams
Hatton,	M Reid,	

So the motion prevailed.

And the House adjourned until half past 9 o'clock to-morrow morning.

## SATURDAY, JANUARY 28th, 1854.

The House met pursuant to adjournment.

Mr. Trice moved to reconsider so much of the Journal of yesterday, as relates to the concurrence of the House in the amendment of the Senate to the bill incorporating the Wills Valley Railroad company; which was agreed to.

The following message was received from the Senate, by Mr. Moore, their Secretary:

*Mr. Speaker*—The Senate has passed the following bills, to wit:

A bill to extend the time for purchasers of fractions and square lots of land, sold under the provisions of an act, assented to 30th December, 1847. Also,

A bill to incorporate the Baptist Church at Silvanua, Scriven county, and Bluff Spring Camp Ground, in Pike county. Also,

A bill for the relief of Jennette Smith of Houston county; Micah Lodtmann of the city of Augusta, and Lemira M Pattillo of the county of Cobb. Also,

A bill to authorize and require the Inferior Court of Polk county to examine and allow the Tax Collectors of said county their insolvent list, in lieu of the Grand Jury of said county. Also,

A bill to amend an act to incorporate the town of Americus, in the county of Sumter, passed 22d December, 1852, and an act amending the same, approved 22d January, 1852. Also.

A bill to punish white persons for selling or furnishing Indians with any spirituous or intoxicating liquors, so far as relates to the county of Talbot. Also,

A bill to incorporate the town of Sylvania in Scriven county, to provide for the election of commissioners, and for other purposes. Also,

A bill to amend an act incorporating the town of Calhoun in Gordon county, approved January 12th, 1852, and to extend the corporate limits of the city of Augusta.

On motion of Mr. Phillips the further consideration of the Journals was suspended, and Mr. Phillips offered the following amendment to the amendment of the Senate to the bill incorporating the Wills Valley Railroad company; which amendment was agreed to.

*“Provided, Nothing herein contained shall be so construed as to exempt said company from such taxation as may be imposed by law, or any other rail or plank road stock.”*

Mr. Lamar moved to reconsider so much of the Journals of yesterday, as relates to the action of the House on the first paragraph of the eleventh section of the bill to lease the Western and Atlantic Rail Road; which motion was lost.

Mr. Walker moved to reconsider so much of the Journals of yesterday, as relates to the action of the House upon the sixth paragraph of the 5th section.

Upon which motion Mr. Fannin required the yeas and nays to be recorded, which are: yeas 50, nays 56.

Those who voted in the affirmative are Messrs.

Anderson,	Carlton,	Fannin,
Arnold,	Clark.	Grant,
Armstrong,	Cody,	Gross.
Bostwick,	Dawson	Harris,
Brown	Dodds	Harrall,
Cameron,	Dubi gnon,	Hardeman,

Hood	Paris,	Trice,
Irwin,	Powell,	Turner,
Jones,	Powers,	J. H. Walton,
Lamar	Radford,	W. A. Walton,
Maxwell,	Reynolds	Walker,
McCurdy,	Riley,	H. L. Williams,
McMullin,	R A Robinson	A. J. Williams,
McWhorter,	Shewmake,	Williamson.
Mobley	Staten,	Williford,
Moody.	L. S. Stewart,	Yopp.
Nichols,	Thornton	

Those who voted in the negative are Messrs:

Adams,	Hays,	Phillips
Alread,	Hawkins,	Pottle,
Andrews,	Headen	G. R. Reid.
Bell,	Henderson	Rice.
Bridges,	Holland,	Richardson
Benj. Cleveland,	Hudson,	N. Robinson,
Clements,	Keith,	Rumph
Crawford,	Latham.	Shine,
Crittenden,	Leverett,	G. K. Smith,
Denham,	Linn	W. R. Smith,
Dial,	Mangham,	W. Smith,
Fields,	Masters.	J. Stewart,
Fish,	Manor,	Stokes
Gartrell,	Mays	Strickland,
Green,	McDonald,	Sweat
Griffin,	McGregor	West.
W. P. Harden,	McLean,	Whitworth.
James Hardin,	McMillan,	Young,
Hatton,	Moughon,	

So the motion to reconsider was lost.

Mr Latham moved to reconsider so much of the Journal of yesterday, as relates to the adoption of the 7th section of said bill; which motion was lost.

The House then took up the substitute of Mr. Thornton to said bill, to wit:

A bill to be entitled an act to dispose of three fifths of the interest of the State in the Western and Atlantic Railroad, by converting the same into stock and dividing said stock into fifty thousand shares, of the value of one hundred dollars each, and providing for the sale of three-fifths of said shares in the manner prescribed by this act, and to incorporate a company, to be called the Western and Atlantic Rail Road Company, to provide for the organization of the same,



prescribing its powers and privileges and pointing out liabilities.

On motion of Mr. Latham, the rules of the House were further suspended, and the following bill was taken up, read a second time, and committed for a third reading, to wit :

A bill to be entitled an act to incorporate the town of Campbellton in the county of Campbell, to appoint commissioners for the same, and for other purposes therein mentioned, and to make the public buildings permanent.

The rules were further suspended and the following bill was taken up; read a second time and made the special order for Wednesday, the 1st of February next :

A bill to be entitled an act to appoint commissioners to settle the claims of the creditors of the Bank of Darien upon the State of Georgia, and to provide for raising the money, which may be required to pay such claims, by a sale of State bonds.

On motion of Mr. Paris the rules were further suspended, and Mr. Paris reported the following bill, which was read the first time, to wit :

A bill to be entitled an act to change the time of holding the Superior Courts of Walker and Dade counties.

On motion of Phillips, the Clerk was directed to inform the Senate of the concurrence of the House in the amendment of the Senate to the bill incorporating the Wills Valley Railroad company.

On motion of Mr. Fields, the following bill of the Senate was taken up and read the first time, to wit :

A bill to be entitled an act to change the line between the counties of Walker and Gordon, and attach a portion of Walker to said county of Gordon, and the line between the counties of Walker and Catoosa, and also the line between the counties of Macon and Taylor.

On motion of Mr. Thornton, the rules were further suspended, and the following bill was introduced and read the first time, to wit :

Mr. Thornton reported

A bill to be entitled an act to incorporate the Columbus Gas Light Company, and to change the name of the Ladies' Benevolent Society of the city of Columbus.

On motion of Mr. Williams of Walton, the rules of the House were further suspended and the following bill was introduced and read the first time :

Mr. Williams of Walton reported

A bill to be entitled an act for the relief of Wm. Cline, of the county of Walton, and for other purposes.

Mr. Irwin from the committee on banks made the following report, which was read :

The Committee on Banks, to whom were referred a bill to

be entitled an act to incorporate a bank, to be called the Exchange Bank of the city of Savannah, and a bill to be entitled an act to alter and change the name and style of the Marine and Fire Insurance Bank of the State of Georgia, to the incorporate name and style of the Marine Bank of Georgia, and to authorize the increase of the capital thereof, and to establish branches, have had the same under consideration and recommend the passage of the same, with similar provisions to those which have been already added to like applications.

J. T. IRWIN,  
Ch'n. Com. Banks,

On motion of Mr. Pottle, the bill for the pardon of George W. Ray, of the county of Houston, was taken up and made the special order of the day for Monday, the 30th instant.

On motion of Mr. Trice, a committee was appointed to compare the printed with the manuscript testimony of the State, against G. W. Ray, of the county of Houston, now under sentence of death, for the crime of murder.

The following were appointed such committee, to wit: Messrs. Trice, Pottle, and Young.

Mr. Trice offered the following resolution, to wit:

*Resolved*, That his Excellency the Governor, be requested to furnish the House of Representatives as soon as practicable, the whole amount of indebtedness of this State, in such form that at one glance, said amount may be seen and the cause of said indebtedness, and when due; which was read.

On motion of Mr. Ward, the rules of the House were suspended, and the House took up the report of the committee on the bill to be entitled an act to alter and change the corporate name and style of the Marine & Fire Insurance Bank of the State of Georgia, to the corporate name and style of the Marine Bank of Georgia; and to authorize the same to increase the capital thereof, and to establish branches.

The report of the committee was agreed to. The bill was read the third time and passed.

The following message was received from the Senate, by Mr. Moore, their secretary:

*Mr. Speaker*—The Senate has passed the following bill, to wit:

A bill to incorporate the Hiwassee Rail Road Company.

The Senate has also concurred in the amendment of the House, to the amendment of the Senate, to the bill of the House of Representatives, incorporating the Wills Valley Rail Road Company; and also, to all the amendments of the House to the bill of the Senate, changing the sessions of the Supreme Court at Milledgeville, and Gainesville, and of the Superior and Inferior Courts of certain counties there-

in named, except the amendment which proposes to strike out "Friday," and insert "Thursday," and asks the House to recede therefrom.

They have also agreed to a resolution, recommending Benjamin Tobias Harris, a citizen of Georgia, to the President of the United States, for an appointment in the Army, in view of its proposed increase.

On motion of Mr. Pottle, the following bill was taken up, read the second time and ordered to be committed for a third reading:

A bill to be entitled an act to authorize Jacob A. H. Reviere, receiver of returns of the county of Warren, to appoint an assistant receiver.

The House took up the report of the committee on the bill to be entitled an act to incorporate a Bank, to be called the Exchange Bank of the city of Savannah.

Mr. Trice offered the following amendment, which was accepted, to wit:

*"And be it further enacted,* That the persons and property of the stockholders, shall be pledged and bound in proportion to the amount of the value of share or shares, that each individual or company, may hold, possess, or be entitled to in said Bank, for the discharge of the debts or contracts of said Bank, or for the ultimate redemption of all the notes and bills, and that such liability shall continue after the transfer of such stock, unless at the time of said transfer, said Bank shall have been in a sound and solvent condition—in which event such liability shall cease at the time of such transfer."

Mr. Ward moved to strike out the "13th Section" of said bill; which was agreed to.

Mr. Reynolds offered the following amendment, which was agreed to, to wit:

*"And be it further enacted,* That if at any time the majority of the stock is held and the bank controlled by persons, non-residents of this State, then and in that event, said charter shall be forfeited."

The report of the committee as amended, was agreed to. The bill was read the third time and passed.

On motion of Mr. Ward, the Clerk was directed to transmit the bill to the Senate, immediately.

The following bill of the Senate was taken up and read the first time, to wit:

A bill to be entitled an act to submit the question of the removal of the Court House of Marion county, to the people thereof, and the place of its location; and in case they neglect to remove it, to authorize the Justices of the Inferior Court, to sell the Court House and property of the county appertaining thereto, to negotiate for the site that they may

be elected, and to levy an extra tax for the building of the new Court House.

On motion of Mr. Thornton, the rules of the House were further suspended, and the following bill of the Senate was taken up and read the first time, to wit :

A bill to be entitled an act to lay out and organize a new county from the counties of Baker and Early.

On motion of Mr. Linn, the rules were further suspended, and the bill to be entitled an act to lay out and organize a new county from the counties of Cass, Cherokee, Cobb, and Paulding, and for other purposes therein mentioned, was taken up, read the second time, and referred to the Committee on New Counties.

The House took up the report of the committee on the bill to be entitled an act to lay out and form a new county out of the counties of Clinch, Ware, Telfair, and Irwin, and to organize the same.

Mr. Cleveland of Habersham, moved to fill up the blank, left for the name of said county, with the name of "Coffee": which was agreed to.

Mr. Staten moved to fill up the blank for the place of holding the election for county offices, with "house of Daniel Lott;" which was agreed to.

Mr. Staten then moved to fill the blank for the time of holding the Superior Courts, with "Friday, after Applying Court;" which was agreed to.

The report of the committee, as amended, was agreed to. The bill was read the third time and passed.

On motion of Mr. West, the rules were further suspended, and the following bill was taken up, read the second time, and referred to the Committee on Banks, to wit :

A bill to be entitled an act to incorporate a bank, in the town of Fort Gaines, to be called the South Western Bank of Georgia.

On motion, leave of absence was granted to Messrs. Ward and Williams of Walton, on special business.

On motion, leave of absence was granted to Messrs. Williams of Sumter, Hardeman and Clark, on account of illness of their families.

On motion of Mr. Phillips, the rules were suspended, and the House took up the report of the committee on the bill to be entitled an act to authorize the Governor to apply the amount of seventy-five thousand dollars, to the redemption of any bonded liabilities of the State.

The report of the committee was agreed to. The bill was read a third time and passed.

On motion of Mr. Lamar, the rules were suspended, and the House took up the report of the committee on the bill to be entitled an act to incorporate the Eatonton and Covington Rail Road Company.

On motion of Mr. Lamar, the House substituted the Senate bill, in lieu of the House bill, for the same purpose.

Mr. Trice offered the following amendment to the substitute, to wit :

"*Provided*, That nothing in this charter, shall exempt said company from liability, and they are hereby made liable under existing laws, or in any other manner that the Legislature may by law provide, for all damages sustained by any individual or individuals from the loss of all kinds of stock, or any other species of property whatever, by the running of the locomotives, cars, engines, or any other motive power on said Road ; and also, are and shall be liable for all injuries received by any individual or individuals, or damage done him, her or them, by the running of said cars, engines, locomotives, or any other motive power on said Road. And in the event, death ensues, then the right of action or recovery shall survive to his, her, or their representative or representatives, against the said company, for said damages, and in all suits and controversies arising from causes aforesaid, the said company shall be considered as *prima facie* at fault, and the burthen of proof, showing themselves excusable, shall rest upon said company. And

*Provided, further*, That the stock in said company, shall at all times be subject to such tax, as the present or any future Legislature, may desire to levy on the same ;" which amendment was agreed to. The bill was read the third time and passed.

On motion of Mr. Lamar, the Clerk was directed to transmit the foregoing bill immediately to the Senate, and ask their concurrence to the amendment of the House, to said bill.

On motion of Mr. Williams of Sumter, the rules were further suspended, and the House took up the bill to be entitled an act to alter the sessions of the Supreme Court at Milledgeville and Gainesville, &c.; the same having been sent back to this House from the Senate, which body had refused to concur in the amendment of the House, in reference to the time of holding the Superior Court of Irwin county.

Mr. Reid of Irwin, moved to adhere to this amendment ; which motion was agreed to.

Mr. Moughon moved to adjourn until Monday morning at half past 9 o'clock.

Upon which motion the yeas and nays were required to be recorded, and are : yeas 29, nays 62.

Those who voted in the affirmative are, Messrs.

Bridges	Dial	J. Harden,
Crittenden,	Grant,	Harrall
Dawson,	Griffin,	Hardeman,

Holland	Moughon	Stokes,
Lamar,	Powers,	Strickland,
Latham	Radford,	Sweat,
Leverett	G. R. Reid,	Thornton,
Mays,	Shine	Young
McDonald	J. C. Smith,	Yopp
McDougald,	G. K. Smith	

Those who voted in the negative are Messrs.

Adams	Irwin,	Reynolds.
Alread	Jones,	Rice
Anderson,	Keith,	Richardson
Arnold,	Mangham	Riley
Armstrong.	Masters	N. Robinson,
Bostwick	Maxwell	Rumph,
Carlton,	Manor,	Shewmake
Clark,	McCurdy,	W. R. Smith,
Benj. Cleveland	McGregor	W. Smith
Cody,	McLean,	L. S. Stewart.
Denham	McMillan	J. Stewart
Fields,	McMullin,	D. W. Taylor
Fish	McWhorter	Trice,
Gartrell	Mobley	Turner,
Harris	Moody	W. A. Walton
Hatton,	Nichols,	Walker
Hays	Paris,	West
Headen	Pickett	Whitworth
Henderson	Poole,	H. L. Williams,
Hood,	Pottle	Wilson.
Hudson	M. Reid	

So the motion was lost.

Mr. Yopp moved to adjourn, until Monday morning, at 9 o'clock, A. M.; which was agreed to, and the House adjourned until 9 o'clock, Monday morning.

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#### MONDAY, JANUARY, 30th, 1854.

The House met pursuant to adjournment.

On motion of Mr. Dial, so much of the Journals of Saturday was reconsidered, as relates to the amendment offered by himself to the bill, creating a new county from the counties of Irwin and Telfair, and on motion of Mr. Dial, said amendment was stricken from the Journals.

The House took up the report of the committee, on the

bill for the pardon of George W. Ray, of the county of Houston.

On motion of Mr. Pottle, said bill was laid on the table, to be called up at his discretion.

The House resumed the consideration of the substitute to the bill, to be entitled an act to lease the Western and Atlantic Rail Road.

Mr. McCurdy moved to amend the caption of said bill, by striking out the words, "three-fifths."

Upon which motion, Mr. Thornton required the yeas and nays, to be recorded, which are : yeas 44, nays 41.

Those who voted in the affirmative are Messrs.

Adams	Hudson,	Rumph,
Alread	Latham.	Shine,
Andrews,	Mangham,	J C Smith
Dawson	Maxwell,	G. K Smith,
Dubignon	Manor,	Staten,
Durden,	McCurdy,	J. Stewart,
Dial,	McDougald,	Strickland,
Fields,	Mobley,	Sweat
Gartrell	Moody	D. W Taylor.
Gross,	Nichols.	Trice,
Hatton,	Pottle,	Turner,
Hawkins,	Radford,	J. H. Walton
Headen,	G. R. Reid,	West,
Henderson,	Richardson,	Young,
Holland,	R A Robinson	

Those who voted in the negative are Messrs.

Armstrong,	Harris	M. Reid,
Bell,	Hood	Reynolds,
Bostwick	Irwin	Riley,
Bridges,	Keith,	Shewmake,
Carlton,	Leverett,	W R. Smith,
Benj. Cleveland,	Linn.	L S Stewart
Cody,	Martin,	Strother,
Denham,	Masters,	Thornton,
Dodds	Mays	W A. Walton,
Eberhart,	McComb,	Walker
Fannin,	McGregor,	Williford,
Fish,	McMullin,	Woodward,
W P Harden,	McWhorter,	Yopp,
J. Hardin,	Pickett,	

So the motion to strike out prevailed.

Mr. Latham moved to lay the bill upon the table, until next Monday.

Mr. Pottle moved to amend Mr. Latham's motion, by laying the original bill and substitute upon the table, for the balance of the session; which amendment was accepted by Mr. Latham.

Pending the discussion to lay the bill and substitute upon the table, the following message was received from the Senate, by Mr. Moore, their Secretary:

*Mr. Speaker*—The Senate has passed the following bills, to wit:

A bill to confer certain privileges upon James M. Cochran, of the county of Greene, and to make lawful his acts, and to give him authority to transact business, as though he were of lawful age. Also,

A bill to amend the license laws of this State, and to prohibit the employment of slaves and free persons of color in selling, by retail or otherwise, spirituous liquors in this State. Also,

A bill to incorporate a Bank in the city of Griffin, to be called the Interior Bank of the State of Georgia.

On motion of Mr. Walker, the House then adjourned until 3 o'clock, P. M.

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### THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. Yopp moved to suspend the order, to allow him to introduce the following resolution, to wit:

*Resolved*, That no member of this branch of the General Assembly be allowed to speak more than twice on any subject, nor longer than fifteen minutes each time, without the unanimous consent of the whole House.

Mr. Yopp moved to take up the resolution; which was agreed to.

Mr. McDougald offered the following amendment, to wit: "And that every member shall speak fifteen minutes on every question, and on failure to do so, that he vamoose."

Mr. Gartrell offered the following amendment, to wit: "*Provided*, that he may speak thirty minutes at once, in lieu of fifteen minutes twice."

Mr. Latham moved to lay both the resolution and amendments on the table until to-morrow.

Mr. McDougald moved to amend Mr. Latham's motion, "by laying the resolution and amendments on the table, for the balance of the session."

Upon which motion, the yeas and nays were required to



be recorded, at the call of Mr. Yopp, and are: yeas 51.  
nays 38.

Those who voted in the affirmative are Messrs.

Adams,	Linn,	Richardson,
Bell,	Mangham,	N. Robinson,
Benj. Cleveland.	Manor,	Rumph,
Crawford,	McCurdy,	Shewmake,
Denham,	McDougald	Shine,
Fannin,	McGregor,	W. R. Smith.
Fish,	McMillan,	Wm. Smith,
Gartrell,	McMullin,	D. W. Taylor,
Grant,	McWhorter.	Thornton,
Hawkins	Nichols,	Turner,
Headen,	Paris,	J. H. Walton,
Henderson,	Phillips.	W. A. Walton,
Hudson,	Pickett,	Walker,
Irwin,	Poole,	West,
Keith,	Pottle,	H. L. Williams,
Lamar,	G. R. Reid,	Woodward.
Latham	Rice,	Young,

Those who voted in the negative are, Messrs.

Alread,	Hatton,	R A Robinson
Anderson,	Hamilton,	Wm. Smith,
Andrews,	Hood	Staten
Armstrong,	Martin,	L. S. Stewart,
Bostwick,	Masters,	Strickland,
Dawson.	Mays,	Strother,
Durden,	Mobley,	Sweat,
Dial,	Moody,	J. Taylor,
Eberhart,	Powers	Whitworth,
Fields,	Radford,	Williamson
Gross,	M. Reid,	Williford,
Harris,	Reynolds,	Yopp.
Harrall	Riley,	

So the motion to lay on the table was agreed to.

The House then resumed the the unfinished business of the morning, it being the motion to lay on the table, for the balance of the session, the original, and substitute for the bill to be entitled an act to lease the Western and Atlantic Rail Road.

Pending which, the following message was received from his Excellency the Governor, by Mr. Briscoe, his Secretary :

*Mr. Speaker*—I am directed by the Governor to transmit to this branch of the General Assembly, a communication in writing, with accompanying documents. Also,

To communicate that he has approved and signed an act, No. 55, being an act to incorporate the Eatonton and Monticello Rail Road Company, which is deposited in the office of the Secretary of State.

The House proceeded again to the consideration of the motion, to lay the bill then under discussion on the table, for the balance of the session.

Pending which, on motion of Mr. McDougald, the House adjourned until half-past 7 o'clock this evening.

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### HALF-PAST SEVEN O'CLOCK, P. M.

The House met pursuant to adjournment.

On motion of Mr. Phillips, the order was suspended, and the House proceeded to the reading of bills for the third time.

The House went into Committee of the Whole—*Mr. Gartrell* in the Chair—upon the bill to be entitled an act, to remove the Penitentiary of this State from the place where it is now located, to Atlanta, in DeKalb county.

After some time spent thereon, the committee rose, and reported the bill back to the House, without amendment.

*Mr. Riley* moved to lay the bill on the table, for the present; which was lost.

*Mr. Phillips* moved to postpone the bill indefinitely; which was agreed to, and the bill postponed indefinitely.

The House took up the report of the committee, on the bill to be entitled an act to grant to tinnerns and copper smiths, the lien or incumbrance now enjoyed in this State, under the laws thereof by masons and carpenters, on houses and the premises to which they may be attached.

*Mr. McMullin* offered the following amendment; which was adopted: And that lumber sellers and brick makers, also, be allowed a lien."

The report of the committee, as amended, was agreed to. The bill was read the third time, and upon the question, "shall this bill pass?" *Mr. McMullin* required the yeas and nays to be recorded, which are: yeas 45, nays 53.

Those who voted in the affirmative are, Messrs.

Adams,  
Alread,

Bell,  
Bridges

Cameron,  
Champion,

Benj. Cleveland,	Linn,	G. K. Smith,
Cody,	Mangham,	J. Stewart,
Grawford,	Martin	Stokes,
Durden,	Masters,	Strickland,
Fannin,	McCurdy,	Strother,
Grat t	McDougald,	J. Taylor,
James Hardin,	McLean,	D W Taylor
Henderson,	McMillan,	Thornton,
Hood	McMullin,	Trice.
Hudson,	Paris,	W. A. Walton,
Keith,	Pottle,	West.
Latham,	G. R. Reid,	H. L. Williams,
Leverett,	R A Robinson	Young,

Those who voted in the negative are, Messrs.

Anderson,	Holland,	Richardson,
Armstrong,	Irwin,	Riley,
Calloway,	Maxwell	N. Robinson,
Carlton	Manor,	Rumph
Clements	Mays,	Shewmake,
Dawson,	McDonald,	W R. Smith,
Denham,	McGregor,	Staten,
Dial,	McWhorter	L. S. Stewart,
Fields,	Mobley,	Sweat,
Fish,	Moody,	Turner
Griffin,	Nichols,	J. H. Walton,
Gross,	Phillips,	Whitworth,
W. P. Harden,	Pickett,	A. J. Williams,
Harris,	Poole,	Williamson,
Harrall	Powers	Wilson
Hatton,	Radford,	Williford,
Hardeman,	M. Reid,	Yopp.
Headen,	Rice,	

So the bill was lost.

The House took up the report of the committee, on the bill to be entitled an act to amend an act to make uniform a standard of weights and measures in this State.

The report of the committee was agreed to. The bill was read the third time and passed, under the title thereof.

The House took up the report of the committee, on the bill to be entitled an act to incorporate the Methodist Protestant Church, at Sylvania, in Scriven county, and appoint Trustees for the same.

Mr. Linn offered the following amendment ; which was adopted, to wit :

*"And be it further enacted by the authority aforesaid, That*

Daniel Mostello, John Barton, William C. Blaylock, Riley Gross and John Cook, and their successors in office, shall be, and they are hereby, appointed and declared to be a body corporate, by the name and style of the Trustees of the Baptist Church, at Cedar Creek, in the county of Cass, and as such, be capable in law to sue and be sued, to receive, by gift or otherwise, and to hold, use and dispose of, for the use of said Church, any property they may become possessed of, by gift, purchase, or otherwise, and take all necessary steps for recovering damages for any trespass or other injury to the property of said Church, real or personal, and defend or use any property which now belongs, or hereafter may belong, to said Church.

*"And be it further enacted,* That the corporate limits of said Church, shall be as follows: Commencing at J. Barton's line, on the Cassville road; then along said road, to the Canton road; then the Canton road east, to William Blaylock's line of lot No. 106; then south, to corner; then south, to the line of No. 109, on the east line to J. Barton's line; then to the beginning. And the said Trustees shall have power and authority to make all by-laws, rules and regulations, within the limits of said corporation, they may deem proper: *Provided,* Said by-laws, rules and regulations, do not conflict with the Constitution and laws of this State, nor of the United States."

Mr. Adams offered the following amendment; which was agreed to, to wit:

*And be it further enacted,* That A. R. Gaines, John W. Scruggs, Amos McCurry, William Pell, Sen., and Hiram Gibson, be, and they are hereby, appointed Commissioners for the Blue Ridge Baptist Church, in Rabun county; and that George A. Greenwood, A. J. Martin, William Gillespie, Thomas Carter and Jesse Riekman, be, and they are, appointed Commissioners of the head of Tennessee Church, in Rabun county, with all the powers and privileges granted in the 1st Section of this act."

Mr. Crawford moved to amend the caption, so as to read, "and other churches therein named;" which was agreed to.

The report of the committee, as amended, was agreed to. The bill was read the third time and passed, under the title thereof.

The House took up the report of the committee, on the bill to be entitled an act to incorporate the town of Dallas, in the county of Paulding, and for other purposes therein named.

Mr. Stewart, of Taylor, offered an amendment, incorporating the town of Butler, in the county of Taylor; which was agreed to.

Mr. McMullin offered an amendment, incorporating the

town of Montezuma, and appointing Commissioners for the same ; which amendment was accepted.

Mr. Gartrell moved to amend the caption of the bill, so as to make it correspond with the body of the bill ; which was agreed to.

The report of the committee, as amended, was agreed to. The bill was read the third time and passed.

The House took up the report of the committee, on the bill to be entitled an act to repeal an act entitled an act to provide for the compensation of Grand and Petit Jurors of the Superior and Inferior Courts of the county of Elbert, and to repeal all former laws, approved December 14th, 1849 ; and to revive an act entitled an act to compensate Grand and Petit Jurors of the Superior and Inferior Courts of the county of Elbert, and to provide for the payment of the same, and to repeal all previous acts on that subject, so far as relates to the county of Elbert, approved December the 8th, 1841.

The report of the committee, as amended, was agreed to. The bill was read the third time and passed.

The House went into Committee of the Whole—Mr. Gartrell in the Chair—upon the bill to be entitled an act to appropriate money, for the purpose of repairing the State House, and making improvements about the grounds thereof, and, also, for repairs of the Executive Mansion.

On motion of Mr. Shewmake, the committee rose, and reported the bill back to the House, without amendment.

On motion of Mr. Shewmake, the bill was postponed indefinitely.

The House took up the report of the committee, on the bill to be entitled an act to compel all persons owning land in this State, to give in to the Receiver of Tax Returns, the section, number and district, where the land lies, and punish all persons for failing to do so.

The report of the committee was disagreed to, and the bill was lost.

The House took up the report of the committee, on the bill to be entitled an act for the relief of William Crowell and William C. Russeau, of the county of DeKalb.

The report was agreed to. The bill was read the third time, and upon the question, "Shall this bill now pass ?" the yeas and nays were required to be recorded, at the call of Mr. Williford, which are: yeas 72, nays 20.

Those who voted in the affirmative are, Messrs.

Adams,	Calloway,	Crawford,
Armstrong,	Champion,	Dawson
Bell,	Benj. Cleveland,	Denham
Bridges,	Cody,	Dodds

Durden	McDougald,	G. K. Smith,
Fannin,	McGregor,	W. R. Smith.
Fields,	McLean,	Staten,
Griffin,	McMillan,	L. S. Stewart,
Gross,	McMullin,	J. Stewart,
W. P. Harden,	Moody,	Stokes,
J. Hardin,	Nichols,	Strickland,
Harris,	Paris,	Strother,
Headen,	Pickett,	Sweat,
Henderson,	Poole,	J. Taylor,
Holland,	Powers,	D. W. Taylor.
Hudson,	Radford,	Trice,
Latham,	Redding,	Turner,
Leverett	G. R. Reid,	W. A. Walton,
Linn,	M. Reid,	Whitworth,
Mangham,	Richardson,	H. L. Williams,
Masters	R. A. Robinson,	Williamson,
Mays,	N. Robinson,	Wilson,
McCurdy,	Rumph,	Young
McDonald,	Shine,	Yopp

Those who voted in the negative are, Messrs.

Anderson,	Irwin,	Rice
Dial,	Martin,	Riley,
Gartrell,	Maxwell,	Thornton,
Harrall,	Manor,	J. H. Walton,
Hatton	McWhorter.	West
Hardeman,	Mobley,	Williford,
Hood	Pottle,	

So the bill passed.

The House went into Committee of the Whole—Mr. Gartrell in the Chair—on the bill to authorize the Governor to appropriate money to aid the construction of the Lumpkin and Forsyth Rail Road ; and after some time spent thereon, the committee rose, and reported the bill back to the House, without amendment.

On motion of Mr. Riley, the bill was laid upon the table, for the present.

The House took up the report of the committee, on the bill to be entitled an act to incorporate the Forsyth and Lumpkin Rail Road Company.

Mr. Phillips offered the following amendment, to come in immediately preceding the repealing clause ; which was agreed to, to wit :

*"And be it further enacted, That any company hereafter to be organized, shall have the liberty of extending said Rail*

Road from its northeastern terminus to the Rabun Gap, on or over the most practicable route : subject, however, to all the rights, privileges and liabilities of the above act."

Mr. Trice offered the following amendment ; which was agreed to, to wit : "*Provided*, That nothing in this charter shall exempt said company from liability, and they are hereby made liable, under existing laws, or in any other manner, that the Legislature may provide, for all damage sustained by any individual or individuals, from the loss or crippling of all kinds of stock, or any species of property whatever, by the locomotives, cars, engines, or any other motive power, on said road ; and also, are, and shall be, liable for all injuries received by any individual or individuals, or damage done him, her, or them, by the running of said cars, engines, locomotives, or any other motive power, on said road ; and in the event death ensues, then the right of action, or recovery, shall survive to his, her, or their representatives, against said company, for said damages ; and in all suits and controversies, arising from causes aforesaid, the said company shall be considered as *prima facie* at fault, and the burthen of proof, showing themselves excusable, shall rest upon said company ; and provided, further, that the stock in said company shall, at all times, be subject to such tax, as the present, or any future Legislature, may desire to levy on the same."

Mr. Walker offered the following amendment ; which was agreed to, to wit : "*Provided*, Said road shall be commenced at, and completed continuously, from its southern terminus."

The report of the committee, as amended, was agreed to. The bill was read the third time and passed.

The House took up the report of the committee, on the following reconsidered Senate bill, to wit :

A bill to be entitled an act to regulate the measuring of timber in this State, and for the appointing of measurers and inspectors of the same.

Mr. Walker offered the following amendment ; which was agreed to, to wit ; To strike out "1st of January," and insert in lieu thereof, "1st of March, 1854 ;" also, by adding, "all timber prepared for the seaports of Georgia."

The report of the committee, as amended, was agreed to. The bill was read the third time and passed, under the title thereof.

The House took up the report of the committee, on the bill to be entitled an act to amend the militia laws of this State, so as to facilitate the collection of fines assessed by Courts of Enquiry, and for other purposes.

The report of the committee was agreed to. The bill was read the third time and lost.

The House took up the report of the committee, on the bill to be entitled an act to amend the 6th Section of the 3d Ar-

ticle of an act entitled an act to appropriate money to improve the navigation of the Altamaha, Ocmulgee and Oconee rivers, and appoint Commissioners for the same, approved January 19th, 1852, so far as to change the names of Commissioners, and for other purposes therein mentioned.

Mr Reid of Irwin, moved to add the names of Norman McDuffie, Simon Merrit and C. W. Bozeman; which was agreed to.

The report of the committee as amended was agreed to. The bill was read a third time and passed.

The House went into Committee of the Whole—Mr Gartrell in the chair—on the bill to be entitled an act to refund certain monies to the county of Cobb; and after some time spent thereon, the committee rose, and reported the bill back to the House without amendment.

On motion of Phillips the bill was recommitted to a special committee, composed of Messrs. Gartrell, Walker and Latham.

The House took up the report of the committee, on the bill to be entitled an act for the relief of Elizabeth J. Stafford, &c.

Mr. Hardeman moved to lay the bill upon the table, for the balance of the session; which was agreed to.

On motion of Mr. McDougald, the House adjourned until to-morrow morning, at half past 9 o'clock.

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## TUESDAY, JANUARY 31st, 1854.

The House met pursuant to adjournment.

Mr. Walton of Richmond moved to reconsider so much of the Journal of yesterday as relates to the rejection of the bill to be entitled an act to grant to tinnern and coppersmiths, the lien or incumbrance now enjoyed in this State under the laws thereof, by masons and carpenters, on houses and the premises to which they may be attached; which motion was agreed to.

Mr. Thornton moved to reconsider so much of the Journals of yesterday as relates to the striking out of "three fifths" from the substitute for the bill to dispose of the Western & Atlantic Railroad.

Upon which motion the yeas and nays were required to be recorded, at the call of Mr. Thornton, which are: yeas 40, nays 57.

Those who voted in the affirmative are, Messrs

Armstrong,  
Bell  
Bostwick

Brown  
Carlton,  
Champion

W. C. Cleveland,  
Fannin  
Grant,



W. P Harden	McWhorter	Strother,
Harris,	Paris,	Thornton,
Hardeman	Pickett,	Turner,
Hood	Powers.	W A Walton
Irwin,	Redding,	J. H. Walton,
Martin	Reynolds,	Walker,
McDonald,	Richardson,	Wilson,
McDougald,	Riley.	Woodward,
McLean,	R A Robinson,	Yopp.
McMillan,	J C Smith	
McMullin,	L S Stewart,	

Those who voted in the negative are Messrs.

Adams,	Hatton,	Phillips,
Alread,	Hawkins,	Pottle
Andrews,	Hardison,	Powell
Bridges,	Headen,	Radford,
Benj. Cleveland,	Henderson,	G. R. Reid
Cody,	Holland,	M. Reid,
Crawford,	Hudson,	Rice,
Dawson,	Keith,	N. Robinson,
Denham,	Latham,	Rumph,
Dubignon,	Linn	W R Smith,
Durden,	Mangham,	Staten,
Dial,	Masters,	Stokes,
Eberhart,	Manor,	Strickland,
Fields.	Mays,	Sweat,
Fish,	McCurdy,	J. Taylor
Gartrell,	McGregor,	D W Taylor
Griffin,	Mobley,	Whitworth.
Gross	Moody.	Williamson
J. Hardin,	Nichols,	Young.

So the motion was lost.

The following communication was received from his Excellency, the Governor.

EXECUTIVE DEPARTMENT }  
MILLEDGEVILLE, GEO., January 30th, 1854. }

*To the Senate and  
House of Representatives :*

In reference to the suit pending in the Supreme Court of the United States, between this State and Florida, touching the boundary between them, information has been furnished this department, by the Hon. John MacPherson Berrien, the solicitor on the part of Georgia, that an order was passed by the court, directing the survey of the disputed line, by a

commissioner and surveyor, to be appointed by each State. I have the honor to transmit herewith, to the General Assembly, a copy of that order, which describes fully, and in detail, the duties imposed thereby.

The action contemplated by this order, renders it important for the Legislature, at the present session, to declare how the surveyor and commissioner on the part of this State shall be appointed, and to make an adequate appropriation for their compensation.

The cause is set down for trial on the second Monday in December next. The survey must be completed, and reported by that time. The subject is therefore respectfully submitted, with the earnest recommendation of a prompt action on the part of the General Assembly,

HERSCHEL V. JOHNSON.

On motion of Mr. Turner, the foregoing communication from his Excellency the Governor, was taken up and read and on motion of Mr. Phillips was referred to the committee on the State of the Republic.

Mr. Pottle offered the following resolution, to wit:

*Resolved*, That Col. Thomas J. Campbell, who is in attendance upon the General Assembly, as a delegate from the State of Tennessee, be invited to a seat upon the floor of this House, and that the Messenger be requested to furnish him with a seat.

Mr. Pottle moved to take up the resolution, and adopt the same; which was agreed to.

Mr. Thornton presented a petition from the East Tennessee and Georgia Rail Road Company; which was agreed to.

Pending which, the following message was received from the Senate, by Mr. Moore, their Secretary:

*Mr. Speaker*—The Senate has passed the following bills, to wit:

A bill compelling the tax receivers and collectors of the county of Jasper, to visit the house of all widows in said county, before returning them as defaulters. Also,

A bill to establish an election precinct at the usual place of holding Justices Courts in the 1048th District, G. M., in the county of Floyd, and to change the name and place of holding elections and Justices Courts, and to establish election precincts in certain counties therein named. Also,

A bill to authorize the election of two commissioners from each militia district in Wayne county, to select a suitable location for a new court house; to authorize the Inferior Court to levy an extra tax for building the same, and to point out the mode of electing said commissioners, and for other purposes. Also,

A bill to authorize the Mayor and Council of the city of Atlanta, to enclose a portion of the State Square in said city, to be used as an open park. Also.

A bill to prevent delays in collecting debts and other demands against the estates of deceased persons and to authorize temporary administrators to pay the same. Also,

A bill to repeal an act approved 26th of December, 1845, authorizing the Inferior court of the several counties of this State, to contract for the building and keeping in repair public bridges, so far as relates to the county of Franklin.— Also,

A bill to incorporate Rome Chapter, No. 26, and Etowah Council, No. 12, of Free and Accepted Masons, at Rome, Floyd county, and certain other Lodges therein named, and to extend the provisions of an act approved 3d of December, 1805, to all societies, whether social, secret, masonic, or by whatever name called, and to bestow upon them certain privileges and powers of bodies politic. Also.

A bill to authorize the Commissioners of roads in the counties of Glynn and Camden, to relieve the hands of certain persons therein named from road duty, for certain purposes therein named. Also,

A bill to incorporate the town of Palmetto, of the county of Campbell, and to appoint Commissioners for the same, and for other purposes. Also,

A bill to authorize the Inferior Court of Decatur county to levy an additional tax on the State tax, not exceeding two hundred per centum. Also.

A bill to authorize the Court of Ordinary of Talbot county to grant letters of administration on the estate of Samuel P. Yarborough, deceased. Also,

A bill to incorporate the Madison and Gordon Telegraph company.

The House resumed its business.

On motion of Mr. Pottle the petition was referred to the Judiciary committee.

Mr. McDougald from the committee on the Judiciary, made the following report, to wit:

The Judiciary committee to whom was referred a Joint Resolution, requesting his Excellency the Governor, to cause the Solicitor General of the Flint Circuit, to institute the proper legal proceedings in the proper county, for the forfeiture of the charter heretofore granted to the Griffin and West Point Plank Road Company, have had the same under consideration, and report that in their opinion it is inexpedient to pass the resolution. The committee beg to be discharged from its further consideration.

A. McDOUGALD, Chm'n.

Mr. McDougald also presented a petition from sundry cit-

izens of the counties of Bibb and Monroe, petitioning the Legislature to form a new county from the counties of Bibb and Monroe, which he asked to be referred to the committee on New counties.

Mr. Walker from the Committee on Agriculture and Internal Improvement, reported in lieu of the original bill incorporating the Stockholders of the Newnan and Griffin rail road Company, the following bill as a substitute therefor, to wit :

"A bill to be entitled an act to incorporate a company to be called the Savannah, Griffin & North Alabama Rail Road Company, with power to build a rail road from the city of Griffin, by Newnan and Carrollton, to the Alabama and State line."

Mr. Walker offered the following preamble and resolution which was read, to wit:

WHEREAS, an act to open and construct a Railroad from the terminus of the North Carolina Railroad at or near Locust Stake, on the line, and thence by the most practicable route by way of Clayton, in Rabun county, to intersect the South Carolina Rail Road at Anderson Court House, was passed by the last Legislature of this State, and whereas, it fully appears that said charter was obtained under fraudulent pretence, that it was for a local road, and not a part of what is called the Rabun Gap rail road, thereby inducing the Legislature to do that which will be of great injury to our State Road, and which would not have been passed had the true facts been known; and whereas, the organization of said Company is believed to be not in compliance with the provisions of the charter, but in violation thereof.

*Be it therefore resolved*, By the Senate and House of Representatives in General Assembly met, that his Excellency the Governor be, and he is hereby required to investigate fully the facts in relation to the organization of said company, and if it shall appear that the charges herein alleged are true, then and in that case he is hereby authorized to employ counsel. and take steps necessary to establish a forfeiture of said charter.

Mr. Walker offered the following resolution, to wit:

The special committee to whom was referred an application from the Legislature of Alabama, report the following resolution :

*Resolved*, By the Senate and House of Representatives of the State of Georgia in General Assembly met, that his Excellency the Governor, be requested to transmit to the Governor of Alabama a copy of the report from the committee on Agriculture and Internal Improvements, in relation to the application from the Legislature of Alabama, for the grant of a charter for the extension of the North East and South West Alabama rail road through the territory of the State of Geor-

gia, to make connection with some one of the rail roads leading to Knoxville, in the State of Tennessee, together with an expression of deep regret that this Legislature could not consistently with its duty to the interests of the people of Georgia, grant that application.

Mr. Walker moved to take up the foregoing resolution, which was agreed to.

Pending which Mr. Harden of Clarke from the committee on Enrolment, reported as duly enrolled the following bills, to wit :

A bill to be entitled an act to authorize the Wills Valley rail road company, incorporated by the Legislature of the State of Alabama or any other rail road company incorporated by the Legislature of the State of Alabama, that may be associated with the Wills Valley rail road in said county of Dade and State of Georgia, and for other purposes therein specified. Also,

A bill to be entitled an act to incorporate a rail road or plank road company for the purpose of constructing a road from Augusta to a point on the Savannah river opposite the mouth of Stephens Creek; or within ten miles thereof.

The House resumed its business, and Mr. Gartrell moved to strike out the words, "to the interests of the people of Georgia," from the resolution offered by Mr. Walker.

Upon which motion the yeas and nays were required to be recorded at the call Mr. Gartrell, which are: yeas 19, nays 71:

Those who voted in the affirmative are, Messrs.

Adams,	Gartrell,	N. Robinson,
Andrews,	Griffin,	W. Smith,
Bridges,	Harrall,	Stokes
Clements,	Hawkins,	West.
Crawford,	Linn	Young,
Dawson	McCurdy,	
Eberhart	M. Reid.	

Those who voted in the negative are Messrs:

Alread,	Benj. Cleveland,	Gross.
Anderson,	Cody.	W. P. Harden,
Armstrong,	Dodds	James Hardin,
Ball	Dial,	Harris,
Bostwick,	Fannin,	Hatton,
Brown	Fields,	Hays,
Carlton,	Fish,	Hamilton,
Champion,	Grant,	Headen

Hendersont	Moody.	Rumph
Hood	Nichols,	Shewmake,
Holland,	Paris,	W. R. Smith,
Hudson,	Phillips	Staten,
Irwin,	Pickett,	L. S. Stewart,
Mangham,	Poole,	Strickland,
Masters.	Pottle,	Strother
Maxwell,	Powers,	Sweat
Manor,	Radford,	J. Taylor.
Mays	Redding,	Thornton
McGregor	G. R. Reid.	Trice.
McLean,	Reynolds	Turner,
McMillan,	Rice.	J. H. Walton,
McMullin,	Richardson	W. A. Walton,
McWhorter,	Riley,	Whitworth.
Mobley	R A Robinson	Williamson.

So the motion to strike out was lost, and the resolution of Mr. Walker was adopted:

Mr. Walker offered the following resolution which was read. to wit:

*Resolved,* By the Senate and House of Representatives of the State of Georgia, in General Assembly met, that his Excellency the Governor of the State be, and he is hereby requested to transact all banking business of the State, in sale of bonds, payment of interest or otherwise, he may have in New York, with the Bank of the Republic in that City.

Mr. Masters from the Committee on adjournment made the following report, which was taken up, read and adopted:

The Joint Committee to whom was referred a resolution to confer and report upon some early day for the adjournment of this General Assembly, have performed the duty assigned it, and report that the Senate has now undisposed of, about 112 bills of a general and local character the largest portion of which are local. The House of Representatives has an immense business undisposed, to wit:

Bills of the House read second time	-	-	297
Bills of the House read first time	-	-	140
Bills of the Senate not read at all	-	-	128
Bills of the Senate read first time	-	-	4
Bills of the Senate read second time	-	-	40
Senate Joint Resolutions	-	-	15
In addition bills in hands of Committees			40

Making in all - - - - - 664

Of the bills before the House, 261 are of a general char-

acter, hence it may be truthfully said that the House of Representatives has an immense business to consider and act upon.

The session should terminate at as early a day as is compatible with the public interest.

The Senate can adjourn without difficulty by the 11th February.

The House of Representatives may be ready for termination of the Legislature on that day by diligence in the regular order of its business.

Believing at this time the public interest will not be injured by the adjournment at the time suggested, the committee recommends the passage of the following resolution :

*Resolved*, That both branches of this General Assembly will adjourn *sine die* on Saturday the 11th February.

On motion of Mr. Fields, the rules were suspended and the following bill of the Senate was taken up, read the second time and committed for a third reading, to wit :

A bill to be entitled an act to change the line between the counties of Walker and Gordon, and to attach a portion of Walker to said county of Gordon, and for other purposes,

The House resumed the consideration of the unfinished business of yesterday, which was the motion to lay the substitute and original bill to lease the Western and Atlantic Rail Road upon the table for the balance of the session.

Upon which motion Mr. McWhorter required the yeas and nays to be recorded, which are : yeas 52, nays 59.

Those who voted in the affirmative are, Messrs.

Alread,	Hamilton	Pottle,
Andrews	Headen,	M Reid,
Bridges	Henderson,	G. R. Reid,
Calloway,	Holland	Rice,
Benj. Cleveland,	Hudson,	Richardson,
Clements.	Keith,	N. Robinson,
Crawford,	Latham,	Rumph,
Denham,	Leverett,	Shine,
Eberhart,	Lian	W. R. Smith,
Fields,	Masters,	W. Smith,
Fish,	Manor,	Strickland,
Gartrell.	Mays,	J. Taylor,
Griffin	McGregor,	D. W. Taylor
James Hardin,	McMullin,	Whitworth.
Harrall,	Paris	Wilson,
Hays,	Phillips,	Young,
Hawkins,	Pickett,	
Hardison,	Poole,	

Those who voted in the negative are Messrs.

Adams	Hatton,	Riley,
Armstrong,	Hardeman,	R. A. Robinson,
Bell,	Hood	Staten,
Bostwick,	Irwin,	L. S. Stewart,
Brown	Mangham,	J. Stewart,
Cameron,	Maxwell,	Stokes,
Carlton,	McCurdy,	Strother
Champion,	McDonald,	Sweat
W. C. Cleveland,	McDougald,	Thornton
Cody,	McLean,	Trice,
Dawson,	McMillan,	Turner,
Dodds	McWhorter,	J. H. Walton,
Durden,	Mobley,	W. A. Walton,
Dial,	Moody	Walker,
Fannin,	Nichols,	West,
Grant,	Powell,	Williamson,
Green,	Powers	Williford,
Gross,	Radford,	Woodward.
W. P. Harden,	Redding,	Yopp.
Harris,	Reynolds,	

So the motion to lay on the table was lost.

Mr. Masters moved to amend the second section by adding the following proviso thereto; which was agreed to: "Provided said stock shall bring at least one hundred dollars per share.

Mr. Irwin moved to amend the third section, by striking out all of the same down to words "day of sale," and insert in lieu thereof the following, to wit:

*"And be it further enacted, That the money arising from the sale provided for in this act, shall be paid in State Bonds or in money at the option of the purchaser, into the Treasury of this State, one-sixth on the day of sale and one-sixth every two years, with interest at the rate of 6 per centum per annum, until the whole is paid."*

Pending which, the following message was received from the Senate by Mr. Moore, their Secretary:

*Mr. Speaker*—The Senate has passed the following bills to wit:

A bill to alter the line between the 4th and 6th District of Troup county, and to change the line between certain counties therein named. Also,

A bill to alter and change the precinct in the 1st District of the county of Cobb. Also,

A bill to amend the charter of the Southern Mutual Insu



rance Company, and to authorize said company to transfer the Life department thereof. Also,

A bill to authorize Joseph Lilly, of Hancock county, to peddle without paying for the same. Also,

A bill to incorporate the Cherokee Copper Company of Georgia. Also,

A bill to explain and amend the 8th section of an act entitled an act to amend an act entitled an act to revise the Judiciary system of this State, approved February 16th, 1799, and for other purposes therein mentioned.

The Senate has also concurred in the amendments of the House of Representatives to the following bills of the Senate, to wit :

The bill to incorporate the Eatonton and Covington Rail Road Company ; also, the bill to incorporate the Stockholders of the Madison and Eatonton Rail Road Company.

The Senate has also amended the amendment of the House of Representatives to the bill of the Senate, making permanent the site of the public buildings of Polk county at Cedar Town, and to incorporate the same ; in which they ask the concurrence of the House of Representatives.

The House again resumed the consideration of Mr. Irwin's amendment, and upon motion to adopt the same, the yeas and nays were required to be recorded, and are : yeas 72, nays 23!

Those who voted in the affirmative are Messrs.

Adams,	Hood	Powell,
Armstrong,	Irwin,	Powers,
Bell,	Latham,	Radford
Bostwick,	Leverett,	Redding,
Brown,	Mangham	M. Reid,
Cameron,	Masters,	Richardson
Carlton,	Maxwell,	Riley,
Champion,	Mays	R. A Robinson,
Benj. Cleveland,	McCurdy,	Rumph,
W. C. Cleveland,	McDonald,	Shewmake
Cody,	McDougald,	Staten
Dawson	McLean,	L. S. Stewart,
Durden,	McMillan,	J. Stewart
Dial,	McMullin,	Stokes,
Fannin,	McWhorter,	Strother
Grant,	Mobley,	Sweat,
Gross,	Moody,	J. Taylor,
W. P. Hardin,	Nichols,	Thornton,
Harris,	Paris,	Trice,
Hatton.	Pickett,	Turner,
Hardenman,	Poole,	J. H. Walton,
Henderson	Pottle,	W. A. Walton,

Walker,  
Williamson,

Wilson  
Williford,

Woodward,  
Yopp.

Those who voted in the negative are, Messrs.

Alread,  
Andrews  
Calloway,  
Crawford,  
Eberhart,  
Fields,  
Fish,  
Gartrell,  
Griffin,  
James Hardin,

Harrall  
Hays  
Hawkins,  
Hardison,  
Hamilton  
Headen,  
Holland,  
Keith,  
Linn,  
Manor,

McGregor,  
G. R. Reid,  
Rice,  
W. R. Smith,  
W. Smith,  
D. W. Taylor,  
Whitworth,  
Young,

So the amendment was adopted.

Mr. Thornton moved to amend the fifth section by striking out all between the words "their successors and assigns." and "shall by virtue and authority;" which amendment was agreed to.

Mr. Thornton moved to amend the sixth section by striking out of said section after the words "shall elect," and insert in lieu thereof the following: "ten directors, who shall elect one of their number President, and the said Directors and President shall continue in office one year, and shall be elected annually thereafter; each stockholder shall be entitled to as many votes as he, she or they may have held shares, *bona fide*, during three months next preceding each election;" which amendment was agreed to.

Mr. Thornton moved to amend the bill by striking out all of the seventh and eighth sections; which was agreed to.

On motion, leave of absence was granted to Mr. Cody, of Warren, for a few days.

Mr. Thornton moved to strike out the tenth section and insert the following in lieu thereof, to wit:

*"And be it further enacted by the authority aforesaid, That it shall not be lawful for the company incorporated by this act to give any better terms of transportation or travel to any one of the rail road lines connecting at Atlanta with the Western and Atlantic Rail Road, than the other, so that the lines of rail road leading from Atlanta to the Atlantic and Gulf of Mexico may be placed on equal terms, so far as respects the rules of the company thereby incorporated."*

Mr. Gartrell offered the following amendment to Mr. Thornton's amendment, to wit:

*"Provided, That the prices of freight and fare on said Western and Atlantic Rail Road shall not be increased on said road above what they now are."*

Upon which amendment the yeas and nays were required to be recorded at the call of Mr. McCurdy.

Pending the call, on motion of Mr. Trice, the House adjourned until 3 o'clock, this afternoon.

### THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

The House resumed the unfinished business of the morning.

The amendment offered by Mr. Gartrell was agreed to. Mr. McCurdy withdrew the call for the yeas and nays, and Mr. Thornton's amendment, as amended, was adopted, and the tenth section was agreed to.

Mr. Thornton moved to strike out the eleventh section and insert the following in lieu of the same, to wit:

*"And be it further enacted,* That this act, so far as relates to the incorporation of said company, continue in force for the term of fifty years."

The motion to strike out was agreed to and the amendment was adopted.

Mr. Thornton moved to amend the twelfth section by striking out all after the words "when required," and also all of the 13th section; which was agreed to.

Mr. Crawford offered the following amendment in lieu of the 13th section, to wit:

*Provided,* That the provisions of this act shall not go into effect until the first day of January, in the year of our Lord eighteen hundred and fifty six, and that the voters of this State be requested to endorse upon their tickets at the next Governor's election, 'Sale' or 'No Sale.'

Upon the motion to adopt, the yeas and nays were required to be recorded—at the call of Mr. Alread—and are: yeas 44, nays 54.

Those who voted in the affirmative are, Messrs.

Alread,	J. Hardin,	Keith,
Bridges,	Harrall,	Masters
Clements	Hays,	Manor,
Crawford	Hawkins	Mays,
Denham,	Hardison,	McGregor
Eberhart,	Hamilton,	McMullin
Fields,	Headen,	Paris,
Gartrell,	Henderson,	Phillips,
Green,	Holland,	Pickett
Griffin,	Hudson,	Pottle

G. R. Reid	N. Robinson	D. W. Taylor,
M. Reid,	Shine.	Whitworth,
Rice,	W Smith,	Wilson,
Richardson,	Strickland,	Young.
R A Robinson	J. Taylor,	

Those who voted in the negative are, Messrs.

Adams,	Hatton,	Reynolds,
Anderson,	Hardeman	Riley,
Armstrong,	Hood,	Shewmake,
Bell	Jones.	Staten,
Bostwick.	Martin,	L. S. Stewart
Brown,	Maxwell,	J Stewart,
Cameron,	McCurdy	Strother,
Carlton,	McDonald,	Thornton
Champion	McDougald,	Trice,
Benj. Cleveland,	McLean,	Turner,
W. C. Cleveland,	McWhorter,	W A. Walton,
Dodds,	Mobley.	J H Walton,
Durden	Moody,	Walker.
Fannin.	Nichols	West
Grant,	Poole,	Williamson,
Gross,	Powers,	Williford,
W P. Harden,	Radford,	Woodward,
Harris,	Redding,	Yopp.

So the motion to adopt the same was lost, and the amendment was rejected.

Mr. Redding offered the following amendment, in lieu of the 13th Section, which was accepted :

*Provided*, That nothing in this charter shall exempt said Company from liability, and they are hereby made liable under existing laws or in any other manner that the Legislature may by law provide, for all damages sustained by any individual for individuals, from the loss or crippling of all kinds of stock or any other species of property whatever, by the running of the locomotives, cars, engines or any other motive power on said Road ; and also, are and shall be liable for all injuries received by any individual or individuals or damage done him, her or them, by the running of said cars, engines, locomotives or any other motive power on said road, and in the event death ensues, then the right of action or recovery shall survive to his, her or their representative or representatives, against the said Company, for said damages, and in all suits and controversies arising from causes aforesaid the said Company shall be considered

as *prima facie* at fault, and the burthen of proof showing themselves excusable, shall rest upon said Company.

*Provided, further,* That the stock in said Rail Road Company shall at all times be subject to such tax as the present or any future Legislature may desire to levy on the same."

Mr. McDougald offered an amendment, to come in as an additional section.

Mr. Walker rose to a point of order, to wit: That the amendment was not an amendment, but a substitute, and was not allowable.

The Chair sustained the point; from which decision Mr. McDougald appealed to the House, and upon the question, "Shall the decision of the Chair be the judgment of the House?" the yeas and nays were required to be recorded—at the call of Mr. McDougald—and are: yeas 52, nays 26.

Those who voted in the affirmative are Messrs.

Alread,	Harrall,	Paris,
Armstrong	Hardeman,	Pottle,
Bostwick,	Hardison,	Powers,
Boatright,	Headen,	Redding,
Cameron,	Hood,	M. Reid,
Carlton,	Hudson,	Reynolds.
Champion,	Keith	Rice,
Benj. Cleveland,	Linn,	Riley
Crawford,	Martin,	Staten
Dawson	Masters,	L. S. Stewart,
Denham,	• Maxwell,	Sweat,
Dodds,	Manor,	J. Taylor,
Fields	Mays,	• W. A. Walton,
Gartrell,	McGregor,	Walker,
Grant,	McLean,	Williamson,
Gross,	McMillan	Wilson.
W P Harden	McMullin,	
Harris,	Moody.	

Those who voted in the negative are, Messrs.

Adams,	Mobley,	J Stewart
Bell,	Phillips,	Stokes,
W. C. Cleveland,	Pickett,	Thornton,
Eberhart,	Powell.	Turner,
Griffin,	Radford,	West.
Hays,	G R Reid	Whitworth,
Irwin,	Richardson.	Williford,
McCurdy,	R A Robinson	Young,
McDougald,	W. Smith,	Yopp.

So the decision of the Chair was sustained.

Mr. Mobley called for the previous question; which call was sustained, and upon the question, "Shall the substitute be received in lieu of the original bill?" the yeas and nays were required to be recorded, and are: yeas 47, and nays 59.

Those who voted in the affirmative are Messrs.

Adams,	Mangham,	Reynolds,
Alread,	Martin,	Riley,
Bell,	Maxwell,	R A Robinson
Bridges,	McCurdy,	Staten.
Carlton,	McDonald,	J. Stewart,
Dodds,	McDougald,	Stokes,
Durden	McLean,	Sweat,
Fannin,	McMillan,	Thornton,
Grant,	McWhorter,	Trice,
Gross	Mobley,	Turner,
W P. Harden,	Moody	J H Walton,
Hays,	Phillips	W. A. Walton,
Hamilton,	Poole,	Williamson,
Hood,	Powell	Woodward,
Holland,	Powers	Yopp.
Jones,	Radford,	

Those who voted in the negative are Messrs.

Anderson,	Harrall,	Redding,
Andrews,	Hardeman,	G. R. Reid,
Armstrong,	Hawkins,	M. Reid,
Bostwick,	Hardison,	Rice,
Brown,	Headen	Richardson,
Cameron.	Henderson,	N. Robinson,
Champion,	Hudson,	Shewmake,
Benj. Cleveland,	Irwin,	Shine,
W C. Cleveland,	Keith	W. R. Smith,
Crawford,	Lamar	Wm. Smith,
Dawson,	Leverett,	L. S. Stewart,
Denham,	Linn,	Strickland,
Eberhart	Masters	Strother,
Fiehs,	Manor,	J. Taylor,
Fish,	Mays,	D W Taylor
Gartrell,	McGregor,	Walker,
Green	McMullin,	Whitworth,
Griffin,	Paris,	Wilson,
James Hardin,	Pickett,	Young,
Harris,	Pottle,	

So the substitute was rejected.

Mr. Alread moved the previous question, which was the bill to lease the Western & Atlantic Rail Road.

The call was sustained, and the previous question ordered to be put.

The report of the committee was agreed to, and upon the question "Shall this bill now pass?"—on the call of Mr. Pot-  
tle—the yeas and nays were required, and are : yeas 50,  
nays 66.

Those who voted in the affirmative are, Messrs.

Anderson,	Hardeman,	Reynolds
Armstrong,	Hood,	Richardson
Bell,	Irwin,	Riley,
Bostwick,	Jones,	R. A. Robinson,
Brown,	Lamar	Shewmake,
Cameron,	Martin	Staten,
Carlton	Maxwell,	L S Stewart
Champion	McDougald,	J. Stewart,
Cody,	McLean,	Strother,
Dawson,	McMillan,	Sweat,
Dodds,	McWhorter,	Thornton,
Dubignon,	Mobley,	Turner,
Durden,	Moody.	W. A. Walton.
Fannin,	Powell,	Walker,
Grant	Powers,	Williford,
Gross.	Radford	Woodward,
Harris,	Redding,	

Those who voted in the negative are Messrs.

Adams,	Harrall	McComb,
Alread,	Hatton,	McCurdy,
Andrews,	Hays,	McGregor,
Bridges,	Hawkins,	McMullin,
Calloway,	Hardison,	Nichols,
Benj. Cleveland,	Hamilton,	Paris,
W. C. Cleveland,	Headen,	Phillips,
Clements,	Henderson,	Pickett,
Crawford,	Holland,	Poole,
Denham,	Hudson,	Pottle,
Eberhart	Keith,	G R Reid
Fields,	Latham,	M. Reid,
Fish,	Leverett,	Rice,
Gartrell,	Linn,	N. Robinson,
Green	Mangham,	Rumph,
Griffin,	Masters,	Shine,
W. P. Harden,	Manor,	G K Smith,
James Hardin,	Mays,	W. R. Smith,

W Smith,	D. W. Taylor	Williamson,
Stokes,	Trice,	Wilson,
Strickland,	West	Young.
J. Taylor,	Whitworth,	Yopp.

So the bill was lost.

Mr. Phillips offered the following resolution, which was read, to wit:

*Resolved*, That the Committee on Internal Improvements be and they are hereby required to report to this House, without delay, such alterations or improvements as they may deem desirable for the better government and management of the Western & Atlantic Rail Road, so as to secure the greatest responsibility and efficiency of its officers, &c.

The House proceeded with the reading of bills for the third time.

The House went into Committee of the Whole—Mr. Irwin in the Chair—on the bill to be entitled an act to endow the Southern Botanic College at Macon, and after some time spent thereon, on motion of Mr. Hardeman, the committee rose and reported the bill back to the House without amendment.

The report of the Committee was agreed to, and upon the question "Shall this bill now pass?" Mr. Whitworth required the yeas and nays to be recorded, which are: yeas 46, nays 60.

Those who voted in the affirmative, are Messrs.

Armstrong,	Hardeman,	Pickett,
Bell,	Hawkins,	Powell,
Bridges,	Hamilton,	Powers.
Brown,	Hood,	Radiford,
W. C. Cleveland,	Irwin,	Richardson,
Crawford,	Lamar,	Shine,
Dawson,	Latham.	Stokes
Denham,	Leverett,	Strother,
Dodds	Martin	J. Taylor,
Dubignon	Masters,	D W Taylor
Eberhart,	Mays	Thornton,
Fannin,	McCurdy,	W. A. Walton,
Gartrell,	McGregor,	Williford,
Grant,	McMullin,	Woodward,
Green	Paris,	
Griffin,	Phillips	

Those who voted in the negative are, Messrs.

Adams	Calloway,	Carlton,
Bostwick,	Cameron,	Champion,



Benj. Cleveland,	Maxwell,	Rumph,
Clements,	Manor	G. K. Smith,
Cody,	McDonald,	W. R. Smith,
Fields	McDougald	W Smith,
Fish,	McLean,	Staten,
W. P. Harden,	McMillan,	L. S. Stewart,
J Hardin	McWhorter,	J Stewart
Harris,	Mobley,	Strickland
Harrall,	Moody	Sweat,
Hatton,	Nichols,	Turner,
Hays,	Poole,	J H Walton,
Headen	Pottle,	Walker,
Henderson,	G. R. Reid,	West,
Holland,	M. Reid,	Whitworth,
Hudson,	Reynolds	Williamson,
Jones	Rice,	Wilson
Keith,	Richardson	Young.
Mangham,	Riley,	Yopp.

So the bill was lost.

Mr. Lamar from the Committee on New Counties, made the following report, to wit :

The Committee on New Counties, having had under consideration a bill to lay out and form a new county from the counties of Baker and Early, beg leave to report :

The proposed county has within its limits from five to six hundred voters, and two million dollars of property. The extent of said new county will be twenty-five miles in length and twelve in width. It has been made satisfactorily to appear to your committee that the measure under consideration commands the unanimous favor of the people of Early and of Baker—including all who are embraced within the limits of the new county. Your committee recommend the bill (with certain amendments herewith communicated) to the favorable consideration of the House.

L. Q. C. LAMAR, Chairman.

To be amended as follows :

*"And be it further enacted,* That the bond of the Sheriff of said county shall be for ten thousand dollars."

Also, strike out "time for Superior Courts," and insert "third Monday in May and November."

Also, strike out "time of Interior Courts," and insert "third Monday in January and July."

Also, strike out "time for Ordinary Court," and insert "fourth Monday in every month."

The House took up the report of the committee on the bill to be entitled an act for the pardon of John D. Malone, otherwise called John D. Hall, of the county of Greene, now confined in the Penitentiary for the crime of murder.

The report of the committee was agreed to. The bill was read the third time and upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded—at the call of Mr. Pottle—and are: yeas 61, and nays 40.

Those who voted in the affirmative are, Messrs.

Adams,	Hawkins,	G. R. Reid,
Armstrong,	Hamilton,	M. Reid,
Bell,	Hudson,	Richardson,
Bridges,	Jones,	R. A. Robinson
Calloway,	Latham,	Rumph
Carlton,	Leverett,	Shewmake,
Champion,	Martin	Shine,
Benj. Cleveland,	Masters	W. R. Smith,
Crawford,	Maxwell,	Staten,
Dawson	Mays,	L. S. Stewart
Denham,	McCurdy,	J. Stewart,
Durden	McDonald,	Stokes,
Eberhart	McDougald,	Thornton
Green,	McGregor,	Walker,
Griffin,	McMullin,	West,
W. P. Harden,	Paris,	Williamson,
Harris,	Phillips,	Woodward,
Harrall,	Poole,	Young
Hatton,	Powers,	Yopp.
Hardeman,	Radford,	
Hays.	Redding,	

Those who voted in the negative are Messrs.

Alread,	Holland,	Rice,
Anderson	Irwin,	Riley,
Bostwick,	Keith,	N. Robinson,
W. C. Cleveland,	Linn,	W. Smith,
Clements,	Mangham,	Strickland,
Dodds,	Manor,	Strother,
Fannin,	McLean,	D. W. Taylor,
Fields,	McWhorter	Trice,
Gartrell	Mobley,	Turner,
Gross,	Moody,	W. A. Walton
J. Hardin,	Nichols,	J. H. Walton,
Headen,	Pickett,	Whitworth,
Henderson	Pottle	Williford,
Hood	Reynolds,	

So the bill passed:

On motion leave of absence was granted to Mr. Reynolds for a few days, on account of indisposition of his family.

On motion of Mr. McMullin, the House adjourned until half-past 7 o'clock, P. M.

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### HALF PAST SEVEN O'CLOCK, P. M.

The House met pursuant to adjournment, and proceeded to the reading bills the third time.

The House took up the report of the committee on the substitute for the bill to be entitled an act to incorporate the stockholders of the Newnan & Griffin Rail Road Company; said substitute being a bill to incorporate a company to be called the Savannah, Griffin & North Alabama Rail Road Company, with power to build a Rail Road from the city of Griffin, by Newnan and Carrollton, to the Alabama State line.

Mr. Dodds moved to amend the bill by adding the following additional names to the commissioners, to wit: "Appleton Mandeville, John T. Meddor, John W. Wood, Shepherd R. Williams, Joseph C. Benson, William W. Merrell, Franklin C. Diamoud, Thomas Chandler, Frederick D. Palmer, Thos Bonner, Z. Bonner and Ahas Boggus;" which amendment was agreed to.

Mr. Redding offered the following amendment, which was agreed to, to wit:

"*Provided*, That nothing in this charter shall exempt said Company from liability and they are hereby made liable, under existing laws or in any other manner that the Legislature may by law provide, for all damages sustained by any individual or individuals, from the loss or crippling of all kinds of stock or any other species of property whatever, by the running of the locomotives, cars, engines or any other motive power on said Road, and also, are, and shall be liable for all injuries received by any individual or individuals or damage done him, her or them, by the running off, of said cars, engines, locomotives or any other motive power on said road, and in the event death ensues. then the right of action or recovery shall survive to his, her or their representative or representatives, against the said Company for said damages, and in all suits and controversies arising from causes aforesaid, the said company shall be considered as *prima facie* at fault, and the burthen of the proof showing themselves excusable, shall rest upon said Company.

"*Provided further*, That the stock in said Rail Road Company shall at all times be subject to such tax as the present

or any future Legislature may desire to levy on the same."

The substitute was then adopted, in lieu of the original bill.

The report of the committee, as amended, was agreed to.

Mr. Phillips moved to lay the bill on the table for the balance of the session, and—on the call of Mr. Fannin—the yeas and nays were required to be recorded, and are : yeas 16, nays 74.

Those who voted in the affirmative are Messrs.

Bell,	Hatton,	Redding,
Carlton	Maxwell,	Strickland,
Cody,	McMillan	Thornton,
Fannin.	Mobley,	W. A. Walton,
W P. Harden,	Phillips,	
J. Hardin,	Pottle,	

Those who voted in the negative are, Messrs.

Adams,	Hood	M Reid,
Alread,	Holland	Reynolds,
Anderson,	Hudson,	Rice,
Armstrong,	Irwin,	Richardson,
Bridges	Jones	Riley
Brown,	Keith,	R. A Robinson,
Calloway.	Lamar,	N. Robinson,
W. C. Cleveland,	Latham.	Rumph,
Benj. Cleveland,	Linn	Shine,
Crawford,	Martin	W R. Smith,
Dawson,	Masters,	Staten
Denham,	Mays,	J. Stewart,
Dodds,	McCurdy,	Stokes,
Durden	McDougald,	Strother,
Fields,	McGregor	Sweat.
Fish,	McLean,	J. Taylor,
Gartrell,	McMullin,	D. W. Taylor
Grant,	McWhorter	Trice,
Griffin,	Moody,	J. H. Walton,
Gross,	Nichols	Whitworth,
Hardeman,	Paris,	Williamson,
Hays,	Pickett.	Wilson
Hawkins,	Poole,	Williford,
Headen,	Radford	Young,
Henderson,	G. R. Reid,	Yopp.

So the motion was lost.

The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to alter and amend an act to exempt from levy and sale under execution certain property therein named, assented to December 11th, 1841.

Mr. Paris offered the following amendment, which was accepted, to wit :

"Also ten head of hogs, twenty dollarc' worth of provisions, two thousand pounds of fodder, ten barrels of corn, ten bushels of wheat, ten common chairs, three tables, two chests, two trunks and a sufficient number of bedsteads for the use of said family."

The report of the committee, as amended, was agreed to. The bill was read the third time.

Mr. Cleveland of Habersham moved to lay the bill and amendment on the table for the balance of the session, and—upon the call of Mr. McDougald—the yeas and nays were required to be recorded, and are: yeas 32, nays 48.

Those who voted in the affirmative are, Messrs.

Benj. Cleveland	Keith,	Riley
Fields,	Latham	N. Robinson,
Gartrell	Mangham	Rumph,
Grant,	Manor,	Shewmake
J. Harden,	McGregor	Staten,
Harris	McLean,	J Stewart
Hatton,	Mc Whorter	Sweat,
Hays	Nichols,	Trice,
Headen	Phillips,	J. H. Walton,
Henderson	Radford,	W. A. Walton
Hudson	Rice	

Those who voted in the negative are, Messrs.

Adams	Gross	McMullin,
Alread	W. P. Harden,	Mobley
Anderson,	Harrall	Moody
Bell,	Hardeman,	Paris,
Bostwick,	Hawkins	Pickett
Brown,	Irwin,	Pottle
Calloway,	Lamar,	Redding,
Carlton,	Linn,	G. R. Reid,
W. C. Cleveland,	Martin	Richardson
Cody,	Masters	R A Robinson
Crawford,	Mays,	Shine
Denham	McCurdy,	Strother,
Fannin.	McDougald,	J Taylor
Griffin,	McMillan	D. W. Taylor

Thornton,  
Turner,

Williamson,  
Wilson.

Young  
Yopp

So the motion was lost.

The question then recurred upon the passage of the bill.

Upon which question the yeas and nays were required to be recorded on the call of Mr. Nichols, and are : yeas 53, nays 34.

Those who voted in the affirmative are, Messrs.

Adams	Headen,	Pottle,
Alread	Hood	Radford,
Bostwick	Jones,	Redding
Brown	Lamar	G. R. Reid,
Calloway.	Latham,	Richardson,
W. C. Cleveland,	Linn.	R. A Robinson
Cody,	Martin,	Shewmake,
Crawford,	Maxwell,	Shine,
Dawson	Mays	Staten,
Dubignon	McCurdy,	Strother,
Durden,	McDougald,	J. Taylor,
Eberhart,	McGregor,	Thornton,
Gartrell	McMullin,	Trice,
Griffin	McWhorter,	Turner,
Gross,	Mobley,	Williamson.
W. P. Harden,	Moody	Young,
Hardeman,	Paris	Yopp,
Hawkins,	Pickett,	

Those who voted in the negative are, Messrs.

Benj. Cleveland,	Irwin	Rice
Denham,	Keith,	Riley,
Dodds	Mangham,	N. Robinson,
Fannin,	Manor,	Rumph,
Fields,	McDonald,	J. Stewart,
J. Hardin,	McLean,	Stokes
Hatton,	McMillan,	Strickland,
Hays,	Nichols.	Sweat
Henderson,	Phillips,	D. W. Taylor.
Holland,	Poole,	J. H. Walton
Hudson,	M. Reid,	W. A. Walton,

So the bill was passed.

The House took up the report of the committee on the bill to be entitled an act to change the name of Amanda Ransom, to that of Amanda Robinson, and make her the legal heir of Fulton Robinson, and for other purposes.

Mr. Shewmake offered the following amendment, which was agreed to, to wit :

*"And be it further enacted by the authority aforesaid, That the name of Martha Ham. of Scriven county, be that of Martha Oglevie, and she be hereby legitimized and entitled to inherit any portion of the estate of P. S. Smythe Oglevie, of Scriven county, her reputed father, as fully as if she was his natural and legal child ; also, Samuel Timothy Colston, to that of Samuel Timothy Pittman, of Chatham, and legitimize and make him the heir at law, of Samuel Pittman, his reputed father ; also, George Alexander Caley, of Whitfield county, to George Alexander McCurdy, and make him heir at law of Francis W McCurdy, and Elizabeth E. McCurdy, of Whitfield ; also, George Washington Swan, to that of George Washington Cheek, of Murray county, and to legitimize him, and make him an heir at law of Thomas R. Cheek, his reputed father, of said county of Murray, any law, usage or custom to the contrary notwithstanding ; also, Joseph Mark Haws, and Sarah Ann Haws, to that of Joseph Mark Nobles and Sarah Ann Nobles, and to legitimize the same, and make them the heirs at law of Ira Nobles, all of the county of Lee, all laws to the contrary notwithstanding.*

Mr. Crittenden offered the following amendment, which was agreed to, to wit : *"Also, the name of Henry Amos Wiggins, of Spaulding county, to that of William Amos Wiggins, and also the name of Flora Williams, to that of Flora Sanders, of Fayette county."*

Mr. Clement offered the following amendment which was agreed to, to wit : *"Also to change the name of William Francis Marion Daniel, of the county of Walker, to William Francis Marion Hiniard, and he is hereby make the legal heir of William and Lucinda Hiniard."*

Mr. Adams offered the following amendment, which was agreed to, to wit :

*"Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the name of Columbus Tilley, of Rabun county, be changed to that of Columbus Holifield, and that he be fully legitimized, and made capable in law, of inheriting the estate of Daniel Holifield, his reputed father ; the same as if he had been born in lawful wedlock, and under the same regulations, any law, usage or custom to the contrary notwithstanding."*

The report of the committee as amended, was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to amend an act for the better protection and security of orphans and their estates, approved Februa-

ry 18th, 1799, by extending the provisions of the 5th Section thereof, to trustees and their estates.

The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to authorize the tax collector of Campbell county, to pay over to the Justices of the Inferior Court of said county, the taxes for the years 1854, and 1855, to be applied by them to the erection of a bridge across Chatahoochee River, at Campbellton, Georgia.

The report of the committee was agreed to. The bill was read the third time and lost.

The House took up the report of the committee on the bill to be entitled an act to authorize the Commissioner of the Poor School Fund of Macon county, to pay money for teaching children entitled to the benefits of the Poor School Fund, to Philip H. Desane.

On motion of Mr. McMullin, the foregoing bill was postponed indefinitely.

The House took up the report of the committee on the bill to be entitled an act to amend an act to appoint certain Commissioners for the Savannah River, approved February 23d, 1850.

The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report of the committee upon the bill to be entitled an act to authorize Reuben Martin, an infirm man in the county of Bulloch, as an itinerant trader, to vend any goods, wares or merchandize, within the 6th Congressional District, without obtaining license for the same.

Mr. Bell moved to insert the name of William Crocker, of Stewart, he to have the same privileges in the counties of Stewart and Kinchafloonee; which was agreed to.

Mr. Riley moved to insert the name of James Redford, he to have the same privileges in the counties of Union, Lumpkin and Habersham; which was agreed to.

Mr. Gross moved to insert the name of Isaac Rook, of Scriven county, he to have the same privileges in the 8th Congressional District; which was agreed to.

Mr. Anderson moved to postpone the bill and amendments indefinitely; which was agreed to.

The House took up the report of the committee on the bill to be entitled an act to incorporate Cassville Lodge, No. 7, Knights of Jericho, located at Cassville, Georgia. The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act for the relief of Leroy W. Cooper, of the county of Spaulding.



Mr. Trice moved to lay the bill on the table for the balance of the session ; which motion was agreed to.

The House took up the report of the committee on the bill to be entitled an act to authorize the Ordinaries of Campbell county, to pay over to William E. Haskins and Rockwood Cumming, a certain sum of money therein named.

Mr. Dodds offered the following amendment to said bill, to wit :

*"And be it further enacted, That the Ordinaay of Coweta county, be and he is hereby authorized to pay to Joseph V Walker, out of the first money coming into his hands not otherwise appropriated, the sum of twenty dollars, upon the said Walker's producing proper authority, entitling him to the same for teaching poor children in said county, in the year 1843."*

On motion of Mr. Irwin, the bill was laid on the table for the present.

On motion of Mr. Walton of Richmond, the reconsidered bill to be entitled an act to grant to tanners and coppersmiths, the lien or incumbrance now enjoyed in this State, under the laws thereof, by masons and carpenters on houses and the premises to which they may be attached, was taken up.

Mr. Pottle renewed the amendment of Mr. McMullin, which reads as follows : *"And that lumber sellers and brick makers also be allowed a lien ;"* which was read.

Mr. Lathem offered the following amendment, which was agreed to, to wit : *"That said lien shall not bind said property after it has been sold."*

Mr. Lamar moved to lay the bill and amendments on the table for the balance of the session ; which motion was agreed to.

The House went into Committee of the Whole—Mr. McDougald in the Chair—on the bill to be entitled an act to appropriate money to the counties herein named, for Academic purposes, and after some time spent therein, on motion of Mr. McCurdy, the committee rose and reported the bill back to the House, without amendment.

The report of the committee was agreed to.

Mr. McLean moved to lay the bill on the table, for the balance of the session.

Upon which motion, on the call of Mr. McCurdy, the yeas and nays were required to be recorded, and are : yeas 66, nays 14.

Those who voted in the affirmative are, Messrs.

Adams,	Calloway	Cody,
Anderson,	Carlton,	Dawson.
Armstrong,	Benj. Cleveland.	Durden,
Bostwick.	W. C. Cleveland,	Fannin,

Fields,	Linn,	Rice,
Fish,	Mangham,	Richardson,
Gartrell,	Maxwell	Riley,
Grant,	Manor,	Rumph,
Griffin,	McLean	W. R. Smith.
W P Harden	McMillan,	L. S. Stewart,
Harris,	McMullin,	Strickland,
Harrall	McWhorter.	Strother,
Hatton.	Mobley,	Sweat,
Hays,	Moody,	D. W. Taylor,
Headen,	Nichols,	Trice,
Heuderson,	Phillips.	J. H. Walton.
Hood	Pickett,	Whitworth,
Holland	Poole,	Williamson
Hudson,	Redding,	Wilson,
Irwin,	G. R. Reid,	Williford,
Keith,	M. Reid,	Young,
Latham	Reynolds,	Yopp.

Those who voted in the negative are, Messrs.

Alread,	Martin,	Pottle,
Crittenden,	Mays,	R A Robinson
Dodds,	McCurdy,	Staten
James Hardin	McGregor,	Turner,
Hardeman	Paris,	

So the motion to lay on the table prevailed.

On motion of Mr. McDougald, the House adjourned until half past 9 o'clock, to-morrow morning.

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### WEDNESDAY, FEBRUARY 11s, 1854.

The House met pursuant to adjournment.

Mr. Phillips moved to reconsider so much of the Journals of yesterday, as relates to the rejection of the bills, for the lease and sale of the Western and Atlantic Rail Road.

Mr. Alread called for the previous question, and Mr. Phillips withdrew his motion.

Mr. Thornton renewed the motion of Mr. Phillips, and Mr. Alread renewed his call for the previous question; which call was sustained, and the main question was ordered to be put.

Upon the question to reconsidered, the yeas and nays were required to be recorded, at the call of Mr. Young, and are: yeas 57, nays 58.

Those who voted in the affirmative are Messrs.

Adams,	Lamar,	Riley,
Armstrong,	Mangham,	Staten.
Bell,	Martin	Stephens
Bostwick,	Maxwell	L. S. Stewart,
Brown	McCurdy,	J. Stewart,
Cameron,	McDonald,	Strickland,
Carlton.	McDougald,	Strother,
W C Cleveland	McLean,	D W Taylor
Dawson,	McMillan,	Thornton,
Dubignon.	McWhorter	Trice.
Fannin,	Mobley,	Turner
Grat t	Moody,	W. A. Walton,
Gross,	Nichols,	Walker
W. P. Harden,	Paris,	West.
Harris,	Phillips,	A. J. Williams,
Hardeman,	Powell,	Williamson,
Hood	Powers	Williford,
Irwin,	Radford,	Woodward,
Jones,	Redding	Yopp.

Those who voted in the negative are Messrs.

Alread,	Hays	Rice,
Andrews,	Hawkins,	Richardson,
Bridges	Hardison,	R A Robinson,
Calloway,	Hamilton,	N. Robinson,
Benj. Cleveland,	Headen,	Rowell
Clements	Henderson,	Rumph
Crawford,	Holland,	Shewmake,
Crittenden,	Hudson,	Shine,
Denham,	Latham,	G. K. Smith,
Dodds	Leverett,	W. R. Smith,
Durden,	Linn,	Wm. Smith,
Eberhart,	Masters,	Stokes,
Fields,	Mays,	Sweat.
Fish,	McComb,	J. Taylor,
Gartrell,	McGregor,	J. H. Walton,
Green.	McMullin,	Whitworth,
Griffin,	Pickett,	Wilson.
James Hardin,	Pottle,	Young,
Harrall	G. R. Reid,	
Hatton,	M. Reid,	

So the motion to reconsider was lost.

Mr. Hardeman moved to reconsider so much of the Jour-

nal of yesterday, as relates to the bill to be entitled an act to endow the Southern Botanic Medical College at Macon.

Upon which motion, the yeas and nays were required to be recorded upon the call of Mr. Cleveland of Habersham, and are : yeas 51, nays 50.

Those who voted in the affirmative are Messrs.

Anderson,	Hardeman,	McWhorter.
Armstrong,	Hawkins	Paris,
Bell,	Hardison,	Phillips,
Bostwick	Hood	Powers,
Bridges,	Irwin,	Redding,
Brown,	Jones,	R. A. Robinson,
W C Cleveland	Lamar,	N. Robinson,
Crawford,	Latham,	Rowell
Crittenden,	Leverett	Shine,
Dawson	Martin,	Strother,
Denham	Masters	J. Taylor,
Dodds	Mays,	D. W. Taylor.
Eberhart	McComb,	Thornton,
Fannin,	McCurdy,	Trice,
Grant,	McDonald,	W A. Walton,
Green	McDougald,	A. J. Williams,
Griffin,	McMullin,	Woodward.

Those who voted in the negative are Messrs.

Adams,	Holland,	Richardson,
Alread	Hudson,	Riley,
Andrews,	Keith,	Rumph,
Carlton	Mangham,	Shewmake,
Benj. Cleveland,	Maxwell,	W. R. Smith.
Dial,	Manor,	W. Smith
Fields,	McGregor,	Staten,
Fish	McLean,	Stephens,
Gross,	McMillan,	Strickland,
W P Harden,	Mobley,	Sweat,
J Hardin,	Moody,	J. H. Walton,
Harris,	Nichols,	West
Harrall,	Pickett,	Whitworth,
Hatton	Poole,	Williamson,
Hays	Pottle,	Young
Headen,	G. R. Reid,	Yopp
Henderson,	Rice	

So the motion was agreed to.

The following message was received from the Senate by Mr. Moore, their Secretary :

*Mr. Speaker*—The Senate has passed the following bills, to wit :

A bill amendatory of the lien laws of mechanics.—Also,

A bill in relation to the working of the public roads, in the county of Thomas. Also,

A bill to incorporate the Monroe County Female Academy, in the town of Forsyth, and to appoint Trustees for the same. Also,

A bill to incorporate the town of Tazewell, in Marion county, and to appoint Commissioners for the same. Also,

A bill to incorporate Lawrenceville Lodge, No. 131, of Free and Accepted Masons. Also,

A bill to amend the act, incorporating the Coosa River Steamboat Company, so as to reduce their capital. Also,

A bill to amend an act, entitled an act to establish a Botanic Medical Board of Physicians in this State. Also,

A bill to legalize and make valid the official acts of Luke Johnson, a Justice of the Peace of Fayette county. Also,

A bill to change the line between the counties of Warren and Taliaferro. Also,

A bill to incorporate the Walton Steam Mill Company, and to grant said company the powers and privileges therein designated, and to incorporate the Athens Steam Mill Company. Also,

A bill to authorize the Commissioner of the Poor School Fund of Monroe county, to pay the accounts of teachers, for the tuition of poor children, for the years 1852 and 1853, not rendered within the time prescribed by law.

Mr. Pottle moved to reconsider so much of the Journals of yesterday, as relates to the passage of the bill, incorporating the Savannah, Griffin and North Alabama Rail Road Company.

Mr. Alread called for the previous question.

The call was sustained, and the main question ordered to be put.

On the motion to reconsider, the yeas and nays were ordered to be recorded, at the call of Mr. Pottle, and are : yeas 36, nays 68.

Those who voted in the affirmative are, Messrs.

Alread,	Fannin.	Headen,
Anderson,	Fields,	Hood,
Bell	W P Harden,	Keith,
Bostwick.	Haynie,	Martin,
Cameron,	Harris,	Maxwell,
Carlton,	Hays,	Mays,
Benj. Cleveland,	Hamilton,	McComb,

McDonald,	Riley,	Thornton
McDougald,	N. Robinson	W A. Walton,
McMillan	Rumph,	Walker.
Mobley.	G K Smith,	Wilson,
Pottle	Strickland,	Woodward,

Those who voted in the negative are, Messrs.

Adams,	Hardison,	M. Reid,
Andrews,	Henderson,	R. A. Robinson,
Bridges,	Hudson,	Shewmake,
Calloway	Jones.	Shine.
W. C. Cleveland,	Latham	W Smith,
Crawford	Leverett,	Staton,
Crittenden.	Linn,	Stephens,
Dawson,	Mangham,	L. S. Stewart
Dubignon,	Masters	J Stewart,
Durden	Manor,	Stokes,
Dial,	McCurdy	Strother,
Eberhart,	McGregor	Sweat,
Fish,	McLean,	J. Taylor,
Gartrell,	McMullin	D. W. Taylor,
Grant,	McWhorter,	Trice,
Green,	Moody,	Turner,
Griffin,	Nichols	J H Walton,
Gross,	Paris,	West
J. Hardin,	Phillips,	A. J. Williams,
Harrall,	Powell	Williford,
Hatton,	Powers,	Young,
Hardeman	Redding,	Yopp.
Hawkins	G. R. Reid	

So the motion was lost.

Mr. McCurdy moved to reconsider so much of the Journal of yesterday. as relates to the appropriating an Academic Fund, for the county of Whitfield.

Mr. Alread called for the previous question; which motion was sustained, and the main question ordered to be put.

And upon the main question, the yeas and nays were required to be recorded, are : yeas 20, nays 76.

Those who voted in the affirmative are Messrs.

Alread,	Dodds,	McCurdy,
Bell,	James Hardin,	McGregor,
Bridges,	Hardeman,	Paris,
Crawford,	Hawkins,	Pottle,
Dawson	Mays	Powers,

R. A. Robinson,	Staten	Turner,
G. K. Smith,	L. S. Stewart,	

Those who voted in the negative are, Messrs.

Adams,	Holland,	Rice,
Anderson,	Hudson.	Riley,
Andrews	Irwin,	N Robinson
Armstrong,	Jones,	Rumph,
Calloway,	Keith,	Shewmake
Cameron,	Lamar	W. Smith,
Carlton,	Leverett,	J. Stewart
Benj. Cleveland,	Linn,	Stokes,
W. C. Cleveland,	Mangham	Strickland,
Clements	Martin	Strother
Dubignon,	Masters	Sweat,
Dial,	Maxwell,	J. Taylor,
Eberhart,	Manor,	D. W. Taylor,
Fannin,	McComb,	Trice,
Fields,	McLean,	J. H. Walton,
Fish,	McMillan,	W A. Walton,
Gartrell,	McMullin,	West,
Griffin,	McWhorter,	Whitworth,
Gross,	Mobley,	A. J. Williams
Hatton.	Moody,	Williamson,
Hays	Nichols,	Wilson
Hardison,	Phillips,	Williford,
Hamilton	Pickett,	Woodward,
Headen,	Poole,	Young,
Henderson	Redding,	Yopp.
Hood	G. R. Reid,	

So the motion was lost.

The following message was received from the Senate, by Mr. Moore, their secretary :

*Mr. Speaker*—The Senate has passed the following bills, to wit :

A bill to regulate sessions of the Courts of Ordinary, in the county of Camden. Also,

A bill to alter and amend an act to prescribe the mode of laying out private ways, and for other purposes, approved January 17th, 1852. Also,

A bill to incorporate the Southern Central Agricultural Society of Georgia, and to confer certain powers and immunities on the same. Also,

A bill to authorize and require the Governor to appoint four additional Trustees for the Deaf and Dumb Asylum at Cave Spring, in the county of Floyd, and for other purposes. Also,

A bill to provide for the education of the poor, so far as the counties of Habersham and Carroll are concerned.—  
Also,

A bill to change the line between the counties of Wilkes and Taliaferro, and several other counties therein named. Also,

A bill to define the line of Baker county. Also,

A bill to authorize the Justices of the Inferior Court of Hancock county, to take one hundred thousand dollars of stock in a Rail Road from Warrenton to Macon, and certain other counties therein mentioned, to take stock in the Brunswick and Florida Rail Road. Also,

A bill to allow the Sheriff of Chatham county certain fees, and to allow him to appoint Special Deputy Sheriffs in certain cases, and to confer the same powers upon the Sheriff of Bibb county. Also,

A bill to authorize the guardians of minors to invest surplus funds in slave property, and to authorize Ann T. Whitfield, of the county of Troup, administratrix on the estate of Horatio Whitfield, to sell or buy land. Also,

A bill to alter and amend the several acts of this State, so far as relates to the county of Glynn. Also,

A bill to repeal so much of the 1st Section of an act to appoint County Treasurers, approved December 24th, 1825, as relates to the appointment of said officers by the Superior Courts of the State, and to authorize their election by the people, so far as relates to Floyd county. Also,

A bill to authorize Isaac E. Bower to build a bridge across Ichiwaynochiway creek, and ——— Lynch to establish a ferry across Connasauga river.

I am directed to transmit forthwith to the House of Representatives, the bill of the House to alter and define the county line between the counties of Talbot and Taylor, this day passed by the Senate, with an amendment, in which they ask the concurrence of the House of Representatives.

Mr. McDougald moved to reconsider so much of the Journal of yesterday, as relates to the adoption of the resolution, fixing the time of adjournment on the 11th instant.

Upon which motion, the yeas and nays were required to be recorded, upon the call of Mr. Alread, and are : yeas 45, nays 52.

Those who voted in the affirmative are, Messrs.

Adams	Eberhart,	Hamilton
Bell,	Fields,	Henderson,
Calloway,	Gross,	Hudson,
Cameron,	Haynie,	Keith,
Benj. Cleveland,	Harrall,	Mangham,
W. C. Cleveland,	Hays,	Mays,
Crittenden,	Hardison,	McComb



McCurdy,	Redding,	Stephens,
McDonald,	Richardson,	J. Stewart,
McDougald,	Riley,	Stokes,
McGregor,	R. A. Robinson	D. W. Taylor
McMillan,	Rumph,	Trice,
Paris	G. K. Smith,	Turner,
Phillips,	W. R. Smith,	West,
Pickett,	W. Smith,	Whitworth.

Those who voted in the negative are Messrs:

Alread,	Hatton,	Radford,
Anderson,	Hardeman	G. R. Reid,
Andrews	Headen,	M Reid,
Armstrong,	Hood	Staten,
Bostwick,	Holland,	L. S. Stewart,
Carlton,	Irwin,	Strickland,
Cody,	Lamar	Sweat
Crawford,	Martin	J. Taylor,
Denham,	Masters,	Thornton
Dodds	Maxwell.	J. H. Walton,
Durden,	Manor,	W. A. Walton,
Fannia,	McLean,	Walker,
Fish,	McMullin,	A. J. Williams
Gartrell.	McWhorter	Williamson,
Grant,	Mobley,	Williford,
Griffin	Moody.	Woodward,
W. P. Harden,	Nichols,	Young,
Harris,	Pottle	Yopp.

So the motion to reconsider was lost.

The House went into Committee of the Whole—Mr. Mobley in the Chair—on the bill to be entitled an act to appoint Commissioners to settle the claims of the creditors of the Bank of Darien upon the State of Georgia, and to provide for raising the money which may be required to pay such claims, by a sale of State bonds.

After some time spent thereon, on motion of Mr. Irwin, the committee rose and reported the bill, with the amendments, back to the House.

The report was agreed to. The bill was read the third time and passed.

Mr. Irwin moved to suspend the order, to take up the following joint resolution; which was agreed to, to wit:

*Resolved*, By the Senate and House of Representatives of the State of Georgia, in General Assembly met, that the Treasurer of the State do pay to the Planters Bank of the state of Georgia and the Bank of the State of Georgia, the

oldest outstanding judgment creditors against the Bank of Darien, or their attorneys, on account of their judgments, ratably to be divided, the proceeds of the sales of land in Mississippi, belonging to the Darien Bank assets.

The resolution was read, and

On motion of Mr. Irwin, the resolution was adopted; and the Clerk was ordered to transmit the bill, joint resolution and copy of the report of the Committee on Banks, in relation to the Bank of Darien, to the Senate forthwith.

The House took up the report of the Committee on the bill to be entitled an act to amend an act entitled an act to incorporate the Barnesville and Zebulon Branch Rail Road, approved the 12th day of January, 1852—to appoint additional Commissioners to extend said road—increase the capital stock, and for other purposes therein mentioned.

Mr. Stokes offered the following amendment; which was agreed to, to wit:

*“Be it further enacted, That the name of the above mentioned Rail Road be altered and changed from the Barnesville & Zebulon Branch Rail Road, to the Franklin and Oxford Rail Road.”*

Mr. Trice moved to amend the bill by striking out the name of Mr. W. W. Arnold, one of the corporators; which was agreed to.

Mr. Redding offered the following amendment, which was agreed to, to wit:

*“Provided, That nothing in this charter shall exempt said company from liability, and they are hereby made liable under existing laws, or in any other manner that the Legislature may by law provide, for all damages sustained by any individual, or individuals, from the loss or crippling of all kinds of stock, or any other species of property whatever, by the running of the locomotives, cars, engines, or any other motive power, on said road; and also are, and shall be liable, for all injuries received by any individual or individuals, or damage done him, her or them, by the running of said cars, engines, locomotives, or any other motive power, on said road; and in the event death ensue, then the right of action or recovery shall survive to his, her, or their representative or representatives, against the said company, for said damages; and in all suits and controversies arising from causes aforesaid, the said company shall be considered as *prima facie* at fault, and the burthen of proof showing themselves excusable, shall rest upon said company: Provided further, that the stock in said company shall at all times be subject to such tax as the present, or any future Legislature, may desire to levy on the same.”*

The report of the committee, as amended, was agreed to; the bill was read the third time and passed.

Mr. McCurdy moved to take up the following resolution, to wit :

*Resolved*, That the call of the counties be suspended on and after Thursday, the 19th instant.

Mr. McCurdy moved to amend the foregoing resolution by striking out the ' 19th' and inserting the "2d instant;" which motion was agreed to.

The House proceeded with the regular order of the day, which was the call of the counties, and the following bills were introduced and read the first time, to wit :

Mr. West reported

A bill to be entitled an act to incorporate the Fort Gaines Rail Road Company, and for other purposes therein mentioned.

Mr. McMillan reported

A bill to be entitled an act to change the line between the counties of Jackson and Gwinnett, so as to include the residence of Edmond Eldon, in the county of Jackson.

Mr. McDougald reported

A bill to be entitled an act to amend an act entitled an act to prescribe the mode of laying out private ways, and for other purposes, approved January 17th, 1852, and for other purposes, so far as to authorize and require Sheriffs, and their Deputies, to superintend the opening and laying out private ways.

Mr. Thornton reported

A bill to be entitled an act to facilitate the collection of executions issued by the Mayor and Council of Columbus, and for other purposes.

Mr. McDougald reported

A bill to be entitled an act to convert the Western & Atlantic Rail Road of this State, into stock—to authorize the Governor of this State to sell said stock, at not less than par value—to incorporate the purchasers of said stock, and to give and grant them banking powers and privileges, such as are contained in an act to be entitled an act to amend an act entitled an act to incorporate the Central Rail Road and Canal Company of Georgia; to alter and change the name of said Company, and to give to the said company banking powers and privileges, assented to on the 14th day of December, 1835.

On motion of Mr. Cleveland, of Habersham, the House adjourned until 3 o'clock, P. M.

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### THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

On motion, leave of absence was granted to Messrs. Yopp, McMullin, Smith of DeKalb, and McLean, for a few days on special business.

The House proceeded with the call of the counties, and the following bills were introduced and read the first time, to wit :

Mr. Phillips reported

A bill to be entitled an act to refund to Francis Xavier Gartland, a double tax.

Mr. Thornton reported

A bill to be entitled an act to alter and amend the claim laws now of force in this State, concerning the withdrawal of claims, and the making of parties in claim cases. Also, A bill to be entitled an act to alter and amend the laws now of force in this State, concerning the making of parties to suits, and for other purposes.

Mr. Williamson reported

A bill to be entitled an act for the benefit of free persons of color subject to taxation.

Mr. Mays reported

A bill to be entitled an act to authorize and empower William P. Fain and A. V. Edmondson, to erect a mill dam across the Coosawattee River, on lot of land No. 98, in the 7th District and 3d Section of Gordon county.

Mr. Mangham reported

A bill to be entitled an act to repeal an act entitled an act to compel parties plaintiffs in the several courts of this State, when the plea of usury is filed, to discover on oath the truth or falsehood of the facts stated in such plea, or to allow the defendant in case of refusal by the plaintiffs to establish the facts contained in such plea by his own oath, without a bill of discovery, assented to December 28th, 1842.

Mr. Trice offered the following resolution :

*Resolved*, That it shall be the duty of each member of the House of Representatives to furnish the Clerk with the number of days he may have been absent from his seat during the present session of the Legislature.

*Resolved, further*, That the Clerk be required to publish in the Journals the names of each member and the number of days absent, and the amount of money received from the Treasury, by each member ; which was read.

The call of the counties being through with, the House proceeded to the reading of bills the third time.

The House took up the report of the committee on the bill to be entitled an act to authorize Mark Rigel of the county of Randolph, an infirm and crippled man, to dispose of dry goods and fancy articles in the counties of Lee and Randolph, without license, for his own benefit.

The report of the committee was agreed to ; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act for the relief of Richard Myrick of Pike county.

The report of the committee was agreed to; the bill was read the third time and passed.

The following message was received from the Senate by Mr. Moore, their Secretary :

*Mr. Speaker*—A resolution has been agreed to by the Senate, that the General Assembly will adjourn on Saturday, the 11th February, in which they ask the concurrence of the House of Representatives.

The House took up the report of the committee on the bill to be entitled an act to organize a new county out of the counties of Scriven and Burke, and for other purposes therein mentioned.

The report of the committee was agreed to; the bill was read the third time and lost.

The House took up the report of the committee on the bill to be entitled an act to change the name of Reuben C. Nail of the county of Appling, to Reuben C. Wyley, and legitimize the same.

The report of the committee was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to incorporate the Irish Jasper Greens, a volunteer corps of the city of Savannah.

The report of the committee was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to amend the several laws incorporating the city of Milledgeville, and to establish a police court therein.

The report of the committee was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to organize a volunteer Battalion in the city of Savannah, to be called the Independent Volunteer Battalion of the city of Savannah.

The report of the committee was agreed to; the bill was read the third time and passed.

The House took up the engrossed bill to be entitled an act to authorize John Wesley Grantham, of the county of Cobb in this State, to peddle goods, wares and merchandize, within certain counties therein mentioned, without a license, and without being subject to pay any tax.

The bill was read the third time, and upon the question, "Shall this bill now pass?:" on the call of Mr. Gartrell, the yeas and nays were required to be recorded, and are : yeas 48, nays 55.

Those who voted in the affirmative are Messrs.

Alread,  
Armstrong

Bridges  
Calloway,

Clements  
Crawford,

<b>Dawson</b>	Hardison,	Paris,
Denham,	Hamilton,	Redding,
Dodds,	Headen,	M. Reid,
Durden	Henderson,	Richardson.
Dial,	Keith	R A Robinson
Eberhart,	Lamar,	N. Robinson,
Fields	Leverett	Rumph,
Gartrell,	Latham,	L. S. Stewart,
Griffin,	Linn,	J Stewart
James Hardin,	Masters,	Stokes,
Haynie,	Manor,	Sweat,
Hardeman,	McDougald,	D W Taylor
Hays,	McGregor,	Whitworth,
Hawkins,	Nichols,	Young,

Those who voted in the negative are Messrs.

Adams,	Irwin.	W. R. Smith
Anderson	Jones,	W Smith,
Andrews,	Martin,	Staten
Bell,	Maxwell,	Stephens,
Bostwick,	Mays.	Strickland,
Brown	McCurdy,	Strother.
Cameron,	McDonald,	J. Taylor,
Carlton,	McWhorter,	Turner,
Benj. Cleveland,	Mobley,	J H Walton
Fannin	Moody.	W A. Walton,
Fish,	Phillips,	Walker,
Grant,	Pickett,	West.
Gross,	Poole,	A. J. Williams,
W P Harden	Pottle,	Williamson,
Harris,	Radford,	Wilson
Hatton,	G R Reid .	Williford,
Hood,	Rice,	Woodward,
Holland	Riley	
Hudson,	Shewmake,	

So the bill was lost.

The House took up the report of the committee on the bill to be entitled an act to authorize Dr. Thomas W. Leek, of the village of Cave Spring, to practice Medicine, and charge for and collect the same.

The report of the committee was agreed to. The bill was read the third time, and on motion of Mr. Haynie, the bill was laid on the table for the balance of the session.

The House took up the report of the committee on the bill to be entitled an act to amend an act entitled an act to incorporate the town of Marietta, enlarge the boundaries and for

other purposes therein named, so as to give the election of Marshal of the city of Marietta, to the people, to authorize their removal from office, and for other purposes therein named.

The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to alter and amend a part of the 8th Section of an act entitled an act to incorporate the Ogeechee Plank Road Company, and for other purposes therein named, approved January 22d, 1852.

The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to authorize James Lasseter, of the county of Decatur, a minor, to transact his own business in the same manner and subject to the same responsibilities as though he was of full age, and for other purposes.

The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to prevent frauds, and for other purposes.

The report of the committee was agreed to. The bill was read the third time and lost.

The House took up the report of the committee on the bill to add a part of Union county, to the county of Gilmer.

The report of the committee was agreed to. The bill was read the third time, and on motion of Mr. Pickett, was laid on the table for the balance of the session.

The House took up the report of committee on the bill to be entitled an act to amend an act, to define the mode in which costs shall be taxed and collected in future, assented to on the 27th December, 1852; and to define and declare the liability of attorneys at law for costs; and also to authorize executions to issue against them in certain cases, therein specified.

The report of the committee was agreed to. The bill was read the third time, and upon the question, "Shall this bill now pass?"—At the call of Mr. Pottle—the yeas and nays were required to be recorded, and are: yeas 58, nays 33.

Those who voted in the affirmative are Messrs.

Adams,	Calloway	Eberhart
Alread,	Benj. Cleveland,	Gartrell,
Andrews.	W. C. Cleveland,	Griffin,
Armstrong,	Crittenden,	James Hardin,
Bell,	Durden	Haynie,
Brown,	Dial,	Harris,

Hatton,	McGregor,	Wm. Smith,
Hardison,	McWhorter,	Staten.
Headen	Moody	L. S. Stewart,
Henderson,	Nichols,	J. Stewart,
Hood,	Phillips	Stokes,
Hudson,	Pickett,	Strickland,
Mangham,	Poole,	Sweat,
Martin,	Radford,	J. Taylor,
Masters	M. Reid,	D W Taylor
Maxwell,	Rice,	Trice,
Manor,	Riley,	West,
Mays,	R A Robinson	Young,
McDonald,	Shine,	
McDougald,	W. R. Smith.	

Those who voted in the negative are Messrs.

Bostwick,	Jones,	Rumph
Cameron.	Keith	Shewmake,
Carlton,	Lamar	Stephens,
Denham,	Latham	Strother,
Dubignon,	McCurdy,	Turner,
Fields,	Mobley,	J H Walton,
Gross	Paris,	W A. Walton,
W. P. Harden,	Pottle,	Walker,
Hardeman,	Powell	Whitworth,
Hays.	Powers	A. J. Williams,
Hawkins,	Redding,	Williamson,
Holland,	G. R. Reid,	Wilson,
Irwin,	Richardson,	Woodward,

So the bill was passed.

The House took up the report of the committee, on the bill to be entitled an act to extend the jurisdiction of Justices of the Peace, so as to authorize them to try causes sounding in damages.

The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report of the committee, on the bill to be entitled an act to create and establish a system of internal improvements in the State of Georgia, and to provide ways and means to carry the same into effect, and for other purposes therein named.

The report of the committee was agreed to. The bill was read the third time, and on motion of Mr. Crawford, was laid on the table for the balance of the session.

The House took up the following engrossed bill, to wit:



A bill to be entitled an act to alter, change and amend an act entitled an act to compensate Grand and Petit Jurors of the county of Muscogee, and to authorize the Justices of the Inferior Court of said county to levy and collect a tax for such purposes. and for other purposes herein contained, approved December 21st, 1849, so far as to require the Clerk of the Superior and Inferior Courts of said county to pay over to said jurors the full amount of all jury fees, in addition to the one dollar per day, now allowed by the above recited act, and for other purposes therein named.

The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report of the committee, on the bill to be entitled an act to alter and change the names of Roscoe Tallulah Clay Niles, to Roscoe Clay Wallace, and the name of Jennette Miller Barrow Niles, to Jennette Barrow Wallace, and the name of Ophelia Celestia Wood, to Ophelia Celestia Bilbro, and to legitimize said Ophelia Celestia Bilbro, and for other purposes therein named.

Mr. McDougald moved to amend, by adding the following; which was agreed to, to wit: "And that Jacob Barrow and Susan Crenshaw, both of the county of Muscogee, be, and they are hereby constituted the guardians of the persons and property of the above named persons, with full power in the survivor to appoint and select for them a testamentary guardian, during their minority.

The report of the committee, as amended, was agreed to. The bill was read the third time and passed, under the title thereof.

The House took up the report of the committee, on the bill to be entitled an act to authorize the Tax Collector of the county of Paulding, for the years 1854 and 1855. to pay over the amount of taxes by him collected, for State purposes, to the Justices of the Inferior Court, to be by them applied to payment of amount due for building a Court House for said county.

The report of the committee was agreed to. The bill was read the third time and lost.

The House took up the report of the committee, on the bill to be entitled an act to make John P. Cain, heir at law of John Cain.

The report of the committee was agreed to. The bill was read the third time and passed.

The House went into Committee of the Whole—Mr. Gartrell in the chair—on the bill to be entitled an act to appropriate one thousand dollars from the treasury of this State, for the purpose of improving and working out a road from the four mile post, on the road leading from Clayton, Georgia, down Timpson's creek, to Edly Powell's, and up Dix's creek across the Blue Bidge, to the house of Elijah Denton, in

Union county, and to appoint Commissioners for the same, and for other purposes therein mentioned; and after some time spent therein,

On motion of Mr. Hardeman, the committee rose, and reported the bill back to the House, without amendment.

The report of the committee was agreed to. The bill was read the third time and lost.

The House took up the report of the committee, on the bill to be entitled an act to change the name of Joseph D. Bartlett, and to legitimatize said Joseph D. Bartlett.

The report of the committee was agreed to. The bill was read the third time and passed.

The House went into Committee of the Whole—Mr. Gartrell in the Chair—on the bill to be entitled an act for the relief Doctor A. B. Brantley, and to authorize the Governor to draw his warrant on the Treasury, in his behalf, for the amount therein stated, and after some time spent therein,

The committee rose, and reported the bill back to the House, without amendment.

The report of the committee was agreed to. The bill was read a third time and lost.

On motion, leave of absence was granted to Mr. Moughon, on account of the sickness of his family.

The House took up the report of the Committee, on the bill to be entitled an act to repeal an act entitled an act, passed in 1851 and 1852, requiring Rail Road Companies to place over or near their tracks sign boards.

The report of the committee was agreed to. The bill was read the third time and lost.

On motion of Mr. Cleveland, of Crawford, the House adjourned until half-past 7 o'clock, P. M.

### HALF-PAST SEVEN O'CLOCK, P. M.

The House met pursuant to adjournment.

The House took up the report of the committee, on the bill to be entitled an act to incorporate the Georgia Mining Company, and to grant certain powers and privileges to the same.

The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report of the committee, on the bill to be entitled an act to incorporate the town of Campbellton, in the county of Campbell—to appoint Commissioners of the same, and for other purposes therein mentioned, and to make the public buildings permanent.

Mr. Clements offered the following amendment; which

as agreed to: "Also, that Matthew Keith, Benjamin F. Hunt, Newton White, Amos Griffin, and their successors in office, be, and they are hereby, appointed Trustees of Vilmow Academy, in the county of Walker, and as such, are made and declared to be a body corporate and politic, with power to sue and be sued, plead and be impleaded, have, hold and convey, property belonging to said Academy, now and hereafter, and do all other things, pertaining to the same.

"*And be it further enacted*, That the Trustees of the Academy aforesaid, shall have power to adopt such by laws as they may deem necessary and proper, for the government and prosperity of the Academy aforesaid; *Provided*, Such by-laws are not repugnant to the Constitution and laws of this State.

"*And be it further enacted*, That when a vacancy shall appear in the Board of Trustees of said Academy, by death, resignation or otherwise, the remaining Trustees of the Academy shall proceed to fill such vacancy by ballot.

"*And be it further enacted*, That the Trustees of the Academy aforesaid, as a body corporate, shall, and they are hereby, declared to be able and capable of receiving, having and holding, all gifts, grants and donations, whether real or personal, which may be given, granted, or tendered to them, for the benefit of said Academy."

Mr. Adams offered the following amendment; which was agreed to, to wit:

"*And be it further enacted*, That Philo Brownson, Hiram Gibson, Lewis Jones, James Bleckly and H. J. Mozeley, be, and they are hereby, appointed Trustees of Clayton Academy, in the county of Rabun. with all the powers and privileges granted in this act.

The report of the committee, as amended, was agreed to. The bill was read the third time and passed.

The House went into Committee of the Whole, Mr. Lobley in the Chair, on the bill to be entitled an act to authorize and require the Treasurer of the State to pay the state tax of the county of Taylor, for the year 1854, to the justices of the Inferior Court of said county or their order, for the use thereof. After some time spent therein, the committee rose and reported the bill back to the House without amendment. The report was disagreed to; the bill was read the third time and lost.

The House took up the report of the committee on the bill to be entitled an act for the relief John Cook, of Union county.

The report of the committee was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to incorporate the Gum Log Min-

ing Company, and grant certain privileges to the same. The report of the committee was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on a bill to be entitled an act to exempt practicing physicians from jury duty, and from serving as witnesses in Supreme Courts, and for other purposes herein specified. The report was disagreed to; the bill was read the third time and lost.

The House took up the report of the committee on a bill to be entitled an act to amend an act entitled an act to levy and collect a tax for each of the political years of 1852 and 1853. The report of the committee was agreed to; the bill was read the third time and lost.

The House took up the engrossed bill to be entitled an act to incorporate the Masonic Female College, in Lumpkin, Georgia, and to confer certain privileges on the same. The bill was read the third time and passed.

The House took up the report of the committee on a bill to be entitled an act to authorize Dempsey Phillips, of the county of Emanuel, to peddle goods, &c. The report of the committee was agreed to; the bill was read the third time and lost.

The House went into the Committee of the Whole, Mr. Mobley in the Chair, on the bill to be entitled an act to appropriate a sum of money to John R. Jenkins, of Wilkes county, for expenses and services therein mentioned. After some time spent therein, the committee rose and reported the bill back to the House without amendment. The report of the committee was agreed to; the bill was read the third time and passed.

The House took up the report of the Committee on a bill to be entitled an act to authorize the issuing of a certain grant therein specified. The report of the committee was agreed to; the bill was read the third time and lost.

The House took up the report of the committee on a bill to be entitled an act to divorce and separate Mary Kirby and her husband Henry Kirby, of Dade county. The report of the committee was agreed to; the bill was read the third time; and on motion of Mr. Paris, the same postponed indefinitely.

The House took up the report of the committee on a bill to be entitled an act to amend an act entitled an act to amend the second section of the Judiciary Act, passed December 16th, 1799, and also to prevent a fraudulent enforcement of dormant judgments, approved December 19th, 1820. The report of the committee was agreed to; the bill was read the third time and lost.

The House took up the report of the committee on a bill to be entitled an act to make it the duty of the tax collectors of the State to require all persons making their

ros to give in the number of each lot of land by them returned; also, the county, district and section, or districts and sections in which said lands may be situated, and for other purposes therein specified. The report of the committee was agreed to; the bill was read the third time, and on motion of Mr. Irwin, was postponed indefinitely.

The House took up the report of the committee on the bill to be entitled an act to attach the county of Taylor to the Eastern Judicial Circuit, and to regulate and fix the times of holding the Superior and Inferior Courts thereof. The report of the committee was agreed to; the bill was read the third time, and on motion of Mr. McDougald, was laid on the table for the present.

The House went into Committee of the Whole, Mr. Garrett in the Chair, on the bill to be entitled an act for the relief of Needham Smith, of Houston county. After some time spent therein, the committee rose and reported the bill back to the House, and on motion of Mr. Taylor, the bill was laid upon the table for the present.

The House took up the report of the committee on the bill to be entitled an act to authorize Thomas B. Claiborne, an infirm man of the county of Putnam, as an itinerant trader, to vend goods, wares and merchandize in the counties of Putnam and Hancock, without obtaining license for the time. The report of the committee was agreed to; the bill was read the third time, and on motion of Mr. Shewake, was laid on the table for the balance of the session.

The House took up the report of the committee on the bill to be entitled an act to alter and change the line between the counties of Union and Lumpkin, so far as to add to Lumpkin county the Militia District of Union county, known as No. 995, and sometimes called the Gaddistown District, and to make the line of said district adjoining Union county the dividing line between the counties of Union and Lumpkin. The report of the committee was agreed to; the bill was read the third time, and on motion of Mr. Riley, was laid on the table for the balance of the session.

The House took up the report of the committee on the bill to be entitled an act to authorize and require the Ordinary or Commissioner of Poor School Fund of Cass county to pay Daniel Whitener for teaching poor children of said county in the year 1853. The report of the committee was agreed to; the bill was read the third time and laid upon the table for the present.

The House took up the report of the committee on the bill to be entitled an act to amend an act entitled an act concerning coroners and inquests, passed December 22d, 1823, amendatory of the said act, so far as relates to the county of Chatham. The report of the committee was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to repeal an act to alter and amend an act relating to the Court of Common Pleas of Oyer and Terminer of the city of Savannah, so far relates to the fees of the clerk of said court. The report of the committee was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to remove an election precinct in the county of Coweta.

Mr. Dial offered the following amendment, which was agreed to :

*"And be it further enacted,* That the election precinct in the county of Appling, in the 442d District, G. M., is hereby changed from John Smith's house to Smith Ford's, on the north side of Big Hurricane Creek, in said county."

Mr. Henderson offered the following amendment :

*"And that the election precinct heretofore established at Cross Keys, in DeKalb county, is hereby removed to the place where the Justices Court is now held in the 656th District, G. M."* The report of the committee as amended, was agreed to; the bill was read third time and passed.

The House took up the Senate bill to be entitled an act to change the line between the counties of Walker and Gordon, and to attach a portion of Walker to said county of Gordon, and for other purposes.

Mr. Hardeman moved to amend the bill by striking out all that portion in reference to the counties of Walker and Catoosa; which was agreed to. The bill, as amended, was read the third time and passed.

The House took up the engrossed bill to be entitled an act for the protection of the creditors of corporations in certain cases. The bill was read third time and lost.

The House took up the report of the committee on the bill to be entitled an act for the relief of W. P. Jackson, a teacher of poor children in the county of Troup, in the year 1849. The report of the committee was agreed to.

Mr. Fannin moved to lay the bill on the table for the balance of the session; which was agreed to.

The House took up the report of the committee on the bill to be entitled an act to incorporate the town of Grantville, in the county of Coweta. The report of the committee was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to prevent the firing of any lands, woods, or marshes, anywhere within the county of Decatur, during a certain portion of the year therein named. The report of the committee was agreed to; on motion of Mr. Dial, the bill was recommitted.

Mr. Dial moved to add also Appling county; which was accepted.

Mr. Reid, of Irwin, offered the following amendment; which was agreed to, to wit:

"And that the provisions of this act be extended to the county of Irwin.

Mr. Hatton moved to amend by adding the county of Telfair," which was agreed to. The report of the committee, as amended, was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to incorporate the Mountain Rangers in the county of Gordon. The report of the committee was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to reduce the official bonds of the Sheriffs hereafter to be elected in the county of Gordon, from the sum of twenty thousand dollars to the sum of ten thousand dollars. The report of the committee was disagreed to; the bill was read the third time and lost.

The House took up the report of the committee on the bill to be entitled an act to change the county line between the county of Macon and the county of Sumter, so as to attach certain citizens of the county of Sumter to the county of Macon. The report was agreed to; the bill was read the third time, and on motion of Mr. Williams, of Sumter, was laid on the table for the balance of the session.

The House took up the report of the committee on the bill to be entitled an act to amend the seventh section of the second article of the constitution.

Mr. Lamar moved to amend the bill by striking out of the preamble all the words from "whereas" down to the word "imprisonment," inclusive; which amendment was agreed to.

Mr. Thornton moved to refer the bill to the Judicial Committee; which motion was agreed to.

The House took up the report of the committee on the bill to be entitled an act to change the names of Rebecca Gertrude Garland, John Darius Garland and James William Garland, to the names of Rebecca Gertrude Herringdine, John Darius Herringdine and James William Herringdine. The report of the committee was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to compensate the Grand and Petit Jurors of the county of Hall, and for other purposes therein named.

Mr. Robinson, of Washington, moved to amend by extending the provisions of this act to the county of Washington.

Mr. Gross moved to amend by extending the provisions to the counties of Gordon and Scriven.

M. Strother moved to amend by adding the following, to wit :

*And be it enacted*, That from and after the passage of this act, all fees for verdicts, and all confessions in the Superior and Inferior Courts of the county of Lincoln, except such as may be obtained before a special jury, shall hereafter be paid to the respective clerks of said courts, which shall constitute in their hands a common fund, to be called the jury fund of said county of Lincoln.

*"Sec. 2d. And be it further enacted by the authority aforesaid*, That the clerks of the said Superior and Inferior Courts shall, at the close of each of their respective Courts, pay each Petit Juror out of said fund, so placed in their hands, the sum of one dollar per day for his services, and if there should not be sufficient of said funds in the hands of said clerks, then the Clerk of the Superior Court, where the juror served in the Superior Court, and the Clerk of the Inferior Court, where the juror served in the Inferior Court, shall give each of said jurors a certificate for such balance, which the County Treasurer of the said county of Lincoln, shall pay out of the county funds in his hands, not otherwise appropriated : Provided, That this act shall not go into effect until the same is recommended by the Grand Jury of said county of Lincoln, and an order passed by the Inferior Court of said county, to carry the same into effect ;" which amendment was agreed to. The report of the committee, as amended, was agreed to ; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to settle and fix the hours of labor by all free white males under twenty-one years of age, and by all free white females under or over twenty-one years of age, in all cotton, woolen and other manufacturing establishments in this State, and to make all contracts to labor in said factories for a greater length of time than herein prescribed, null and void, at the option of said males and females, and for other purposes therein named. The report of the committee was agreed to ; the bill was read the third time and passed.

Mr. McDougald, from the committee on the Judiciary, made the following report, to wit :

The Judiciary Committee, to whom was referred a bill to be entitled an act to amend the claim laws of this State, have, after examination of provisions, instructed me to report that the amendment is deemed unnecessary, and therefore that the bill ought not to pass.

ALEX. McDOUGALD,

Chairman Judiciary Committee.

Mr. McDougald, from the Judiciary Committee, made the following report, to wit



The Judiciary committee to whom was referred a bill to be entitled an act to authorize a distribution of estates in certain cases therein mentioned, have had the same under consideration, and after examination your committee are satisfied that its object is wise and judicious and therefore recommend its passage by this House.

ALEX. McDOUGALD,  
Chairman Judiciary Committee.

Mr. McDougald also reported the following bill which was read the first time, to wit:

A bill to be entitled an act to create and lay off a new Judicial Circuit, to be named the Muscogee Circuit, and to add the same to the second Supreme Court Judicial District, and for other purposes.

Mr. Phillips moved that the House adjourn until half past nine o'clock to-morrow morning; which motion prevailed.

#### THURSDAY, FEBRUARY 2d, 1854.

The House met pursuant to adjournment.

The following message was received from the Senate by Mr. Moore, their Secretary to wit:

*Mr. Speaker*—The Senate has passed the following bills to wit:

A bill to require executors to give bond in certain cases. Also,

A bill to alter and amend an act, approved 17th December, 1847, to authorize parties to compel discoveries at common law. Also,

A bill to revive and continue in force an act approved 22d January, 1852, entitled an act to incorporate the West Point rail road & plank road company, and to punish persons for molesting the same, except so far as said Plank road is concerned, and to specify the names of persons substituted as incorporators by this act. Also,

A bill to incorporate the Atlanta Irish Volunteers.—Also.

A bill to regulate the sale and division of slaves in certain cases therein mentioned. Also,

A bill to authorize and require the Justices of the Inferior Court of the county of Emanuel to levy an extraordinary tax not to exceed one hundred per cent on the State tax, for the purpose of building a new Court House, and for other purposes. Also,

A bill to make it penal to cut or haul wood or timber off of

lands in Bibb county, without consent of the owner or tenant in possession. Also,

A bill to alter and amend an act to alter and amend the several Judiciary acts now of force in this State, so far as relates to Justices Courts, approved 14th December, 1811, so as to allow the same person to hold the two offices of clerk of the Inferior Court and Justice of the Peace at the same time in the county of Wilkes. Also,

A bill to exempt practicing physicians of the county of Effingham from jury duty, Also,

A bill to extend the limits of prison bounds for honest debtors in the county of Bibb. Also,

A bill to change the place of holding Justices Courts and election precincts in the 537th district, G M. in Upson county. Also,

A bill to incorporate the Rome Building and Loan Association. Also,

A bill to amend the 10th section of the 10th division of the Penal Laws of this State. Also,

A bill to authorize Gracy Hicks of Crawford county, to establish a ferry on Flint river on her own land, and also to authorize Seaborn Wynn to keep up the ferry heretofore established on Little river.

The Senate has also passed the following bills of the House of Representatives; to wit:

A bill to alter the line between the counties of Union and Lumpkin. Also,

A bill to change the law now of force in this State relating to the arrival within the limits of this State of Colored Seamen.

The Senate has also concurred in the amendment of the House of Representatives to the bill of the Senate to regulate the measuring of timber in this State, and for the appointing of measurers and inspectors of the same.

Mr. Gross moved to reconsider so much of the Journals of yesterday as relates to the rejection of a bill to be entitled an act to organize a new county out of the counties of Scriven and Burke, and for other purposes therein mentioned.

Upon which motion the yeas and nays were required to be recorded—at the call of Mr. Gross—and are: yeas 56. nays 37.

Those who voted in the affirmative are, Messrs.

Adams,	Carlton	Durden,
Armstrong,	Benj. Cleveland,	Dial,
Bell,	Clements,	Gartrell,
Brown,	Crittenden,	Green
Calloway	Dawson,	Gross.

Haynie,	McDonald	Staten,
Harris,	McGregor,	L S Stewart
Harrall	McMillan,	Strickland
Hardeman,	Moody.	Strother,
Hays,	Paris,	J Taylor
Hawkins,	Phillips,	Thornton,
Hardison,	Pickett	Turner,
Henderson,	Pottle,	Walker,
Hood,	Radford	West,
Holland,	G R Reid	Whitworth,
Hudson,	Riley,	Williamson,
Martin	R. A. Robinson,	Woodward,
Masters,	Rowell,	Young.
McCurdy,	Shewmake,	

Those who voted in the negative are, Messrs.

Alread,	W. P. Harden,	M. Reid,
Andrews,	Hatton,	Richardson
Bostwick,	Headen,	N. Robinson,
Bridges,	Jones,	Rumph,
Cameron,	Leverett,	W. R. Smith,
W. C. Cleveland,	Linn,	J. Stewart,
Drawford,	Mangham,	Sweat,
Eberhart	Maxwell,	D. W. Taylor
Gannin,	Mays,	Trice,
Fields,	Mobley,	J. H. Walton,
Fish,	Nichols,	W. A. Walton.
Griffin,	Redding,	Williford,

So the motion to reconsider, prevailed.

Mr. Haynie moved to reconsider so much of the Journals of yesterday, as relates to the rejection of the bill to be entitled an act to prevent frauds, and for other purposes; which motion was lost.

Mr Dodds offered the following resolution, which was read by wit :

**WHEREAS:** At the present session of the General Assembly an act has been passed appropriating the sum of one hundred and sixty-four dollars and ten cents for the relief of Wm. Taylor of the county of Coweta, authorizing the Governor to draw his warrant on the Treasury for the same in favor of the said Wm. Taylor, therefore

*Resolved,* That the treasurer be and he is hereby authorized to pay the same over to Richmond R. Bridges, of Coweta county, who is hereby authorized to draw the same for the said Wm. Taylor, and receipt therefor.

On motion of Mr. Dodds, the foregoing resolution was taken up and agreed to.

On motion of Mr. Crawford the House took up the amendment of the Senate to the bill to be entitled an act to make permanent the site of public buildings in Polk county at Cedar Town, in said county, and to incorporate the same, and for other purposes, and concurred in the same.

Mr. Lamar from the committee on new counties, made the following report, to wit :

The committee on new counties having duly considered a bill to be entitled an act to lay out and organize a new county from the counties of Cass, Cherokee, Cobb and Paulding, report it is the unanimous opinion of the Committee that said bill should not become a law.

L. Q. C. LAMAR, Chm'n.

Mr. McCurdy from the special committee to whom was referred the bill to change the line between the counties of Murray and Whitfield, reported that they have had the same under consideration, and have been unable to come to any other conclusion than to ask this House to change the line to suit the persons immediately interested. We therefore, herewith report a substitute, which has for its object to change the line in strict compliance with the wishes of the petitioners as presented to your committee. Your committee would, therefore, ask the reception and passage of the substitute.

F. W. McCURDY,  
S. T. MAYS.

The undersigned dissents from the above report, and also from the substitute.

A. M. TURNER.

On motion of Mr. Phillips, the rules were further suspended, to allow him to introduce the following bill, which was read the first time, to wit :

A bill to be entitled an act to appropriate a sum of money for certain purposes.

On motion of Mr. Pottle, the order was suspended, to take up the bill to be entitled an act to authorize Jacob A. H. Reviere, Receiver of Tax Returns of the county of Warren, to appoint an assistant receiver.

The report of the committee was agreed to ; the bill was read the third time and passed,

On motion of Mr. Paris, the rules were further suspended and the following bill was taken up, read a second time and ordered to be committed for a third reading, to wit :

A bill to be entitled an act to change the time of holding the Superior Courts in the counties of Walker and Dade.

The House then took up the report of the committee on the following reconsidered bill, to wit:

A bill to be entitled an act to abolish imprisonment for debt in this State, and for other purposes.

Mr. Alread called for the previous question; which call was sustained, and the main question was ordered to be put and upon the question "Shall this bill now pass?" the yeas and nays were required to be recorded—at the call of Mr. McDougald—and are: yeas 50, nays 48.

Those who voted in the affirmative are Messrs.

Adams,	Hardeman,	Pickett,
Alread,	Hays,	Radford,
Bridges,	Hawkins,	Redding,
Carlton,	Hamilton,	G. R. Reid.
Benj. Cleveland,	Headen	Riley,
Crittenden,	Henderson,	R A Robinson
Dawson	Hudson,	Shine,
Denham,	Jones	Staten,
Dial,	Keith,	J Stewart
Eberhart	Martin	Strother
Fields,	Masters.	Thornton
Fartrell,	McCurdy,	Turner,
Green	McDonald	Whitworth.
Griffin,	McDougald,	A J Williams,
W. P. Harden,	McMillan,	Woodward,
Laynie,	Mobley	Young,
Harris	Paris,	

Those who voted in the negative are, Messrs.

Anderson,	Irwin,	Rumph
Andrews,	Latham,	Shewmake,
Armstrong,	Mangham,	W. R Smith,
Bell	Maxwell,	W Smith,
Bostwick,	Mays	Stephens,
Calhoun,	McGregor	Stokes
Cameron,	McWhorter,	Strickland,
Crawford,	Moody.	Sweat
Dodds	Nichols,	J. Taylor.
Fannin,	Pottle,	D W Taylor
Fish,	Powell,	Trice,
Grant,	M. Reid.	J. H. Walton,
Gross.	Rice.	W A. Walton,
Gardison,	Richardson	Walker,
Good	N. Robinson,	Williamson.
Lolland,	Rowell,	Williford,

So the bill passed under the title thereof.

The House took up the report of the committee on the bill to be entitled an act to authorize the Governor to have all the unsurveyed lands in the county of Appling, surveyed and sold, and the proceeds, after paying for the surveying of the same, applied to poor school purposes.

Mr. Dial moved to fill the blank with "five per cent;" which was agreed to.

The report as amended was agreed to; and upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded, and are : yeas 62, nays 41.

Those who voted in the affirmative are, Messrs.

Adams,	Hamilton,	M. Reid,
Boatright,	Henderson,	Riley.
Bridges,	Holland	R. A Robinson,
Brown,	Hudson,	N. Robinson,
Benj. Cleveland,	Jones	Rowell
W. C. Cleveland,	Latham,	Rumph,
Crawford,	Leverett,	W R Smith,
Crittenden	Martin	Staten,
Dawson,	Masters,	Stokes,
Dubignon,	Mays,	Strickland,
Durden,	McCurdy,	Sweat,
Dial,	McDonald,	J. Taylor
Gartrell,	McDougald,	D W Taylor
Griffin,	McMillan,	Turner,
Haynie	Moody,	J. H. Walton,
Harrall,	Paris,	Walker,
Hatton,	Pottle,	West.
Hardeman	Powell	A J Williams
Hays	Radford,	Williamson
Hawkins,	Redding,	Young.
Hardison,	G. R. Reid	

Those who voted in the negative are, Messrs.

Alread,	Fields.	Mobley
Anderson,	Fish,	Nichols
Andrews,	Grant	Phillips
Armstrong,	W. P Harden	Pickett,
Bell,	Harris,	Rice,
Bostwick,	Headen,	Shewmake,
Calloway,	Hood	W R Smith
Cameron,	Irwin,	Stapleton
Carlton,	Keith,	Stephens,
Clements,	Mangham,	L S Stewart.
Dodds,	Maxwell,	J. Stewart,
Fannin,	McGregor,	Thornton,

W A Walton  
Whitworth.

Wilson,  
Williford,

Woodward,

So the bill passed.

The House took up the report of the Judiciary committee on the bill to be entitled an act to amend the claim laws of this State.

The report of the committee was agreed to; the bill was read the third time and lost.

The House took up the report of the Special Committee on the substitute and bill to be entitled an act to change the line between the counties of Murray and Whitfield,

On motion of Mr. Harrison, the bill and substitute was laid on the table for the present.

The House went into Committee of the Whole—Mr. Irwin in the chair, on the bill to be entitled an act for the relief of Needham Smith of Houston county. After some time spent therein, the committee rose and reported the bill back to the House.

Mr. McDougald then moved to amend by adding the following proviso:

“*Provided*, That proof that the whole of the first purchase money has been paid;” which motion was agreed to.

The report of the committee as amended, was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act for the relief of Elizabeth Clark, a married woman, of the county of Jefferson.

The report of the committee was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to alter and extend the provisions of an act, assented to December 11th, 1841; and also to amend an act assented to December 22d, 1843, so as to exempt from levy and sale certain property therein mentioned, approved December 29th, 1845.

The report of the committee was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to preserve inviolate, the trial by jury, as is used in this State prior to, and at the adoption of the Constitution thereof, on the 30th day of May, in the year, 1798, and to make said jurors, in all cases, either at law or in equity, the judges of the law, the equity and the facts of each case, and to require said jury to return in all cases a general verdict, and for other purposes therein named.

Pending the discussion, the House adjourned until 3 o'clock, P. M.

## THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

The House took up the unfinished business of the morning session.

Pending which the following message was received from the Senate, by Moore their Secretary:

*Mr. Speaker*—The Senate has passed the following bills, to wit :

A bill to incorporate the Georgia and Alabama Rail Road Company, and to grant certain powers and privileges to the same, and for other purposes. Also,

A bill to provide for the navigation of Ebenezer Creek, or the Runs, in the county of Effingham, and removing obstructions from the same. Also,

A bill to alter and amend the 27th Section of the 10th Division of the Penal Code of this State. Also,

A bill to authorize the sale at public outcry, by an agent to be appointed by the Governor, the unsurveyed lands of the Okefenokee Swamp, and to provide for the expenses of such sale. Also,

A bill to amend the road laws of this State, so far as relates to Wilkes, Lumpkin, Laurens, Lincoln and Columbia counties. Also,

A bill to authorize amendments to be made to the short form of writs prescribed by the act of 1847, 1849 and 1850, and to allow of their being adapted to other cases of action than those they embrace, and to sanction the joinder of other courts, where the same judgment can be rendered, and for other purposes.

The House resumed its business, and the question recurring upon the passage of the bill.

Upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded, at the call of Mr. McDougald, and are : yeas 21, nays 76.

Those who voted in the affirmative are Messrs.

Adams,	Henderson	G. R. Reid,
Bell,	Hudson,	Riley,
Benj. Cleveland,	McDonald,	J. Stewart,
Dial,	McDougald,	D. W. Taylor,
Gartrell	McMillan	West,
Gross,	Mobley,	A J Williams
Hayne,	Powell.	Young

Those who voted in the negative are Messrs.

Alread,	Armstrong,	Bostwick,
Anderson	Andrews,	Boatright,



Bridges,	Irwin,	M. Reid,
Cameron.	Keith,	N. Robinson,
Carlton,	Lamar	Rowell
Crawford,	Latham,	Rumph
Crittenden	Leverett,	Shewmake,
Dawson	Linn,	W. Smith,
Denham,	Mangham,	Strickland,
Dodds,	Martin	Stapleton,
Eberhart	Masters	Stephens
Fannin,	Maxwell,	L S Stewart,
Fields,	Manor,	Strother,
Fish	Mays,	Sweat
Green,	McCurdy,	Trice,
W. P. Harden,	McGregor,	Turner,
James Hardin,	McWhorter	J. H. Walton,
Harris,	Moody,	W A Walton
Harrison,	Nichols,	Walker,
Harrall,	Paris,	Whitworth,
Hays.	Phillips,	Williamson,
Hawkins,	Pickett,	Wilson,
Hardison,	Poole,	Williford,
Headen,	Pottle	Woodward,
Hood	Radford,	
Holland,	Redding,	

So the bill was lost.

Mr. Harrison moved to suspend the order ; which motion was lost.

On motion, leave of absence was granted to Messrs. Grant and Rice, for a few days, on special business.

The House took up the report of the committee on the bill to be entitled an act to authorize parties plaintiff to issue summons of garnishment in certain cases, as in cases of attachments.

The report of the committee was disagreed to ; the bill was read the third time and lost.

The House took up the report of the committee on the bill to be entitled an act to amend an act entitled an act to regulate attachments in this State, passed the 18th of February, 1799.

The report of the Committee was agreed to ; the bill was read the third time, and on motion of Mr. McDougald, the same was postponed indefinitely.

The House went into Committee of the Whole, Mr. Harrison in the Chair, on the bill to be entitled an act to appropriate money to pay Francis Revier and others for expenses incurred by them in pursuing and apprehending certain rob-

bers therein mentioned ; and after sometime spent thereon, the committee rose and reported the bill back to the House without amendment.

The report of the committee was agreed to ; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act for the government of slaves.

On motion of Mr. Gartrell, the bill was laid on the table for the balance of the session.

The House took up the report of the committee on the bill to be entitled an act to authorize the Ordinaries of Macon and Sumter, to pay P. H. Delane and John A. Moss, certain sums of money for teaching poor children of said counties, and for other purposes therein named.

Mr. Mobley offered the following amendment, which was agreed to, to wit :

*"And be it further enacted by the authority aforesaid, That the Ordinary of Harris and Meriwether counties be, and he is hereby authorized to pay over such sums as he may think fit and proper, to such persons who fail to render in their accounts in time for, the years 1852 and 1853, out of the Poor School Fund, that may hereafter come into his hands."*

Mr. Cleveland, of Habersham, offered the following amendment, which was agreed to, to wit :

*"And be it further enacted by the authority of the same, That the Ordinary of the county of Habersham be, and he is hereby authorized to pay to William H. Croocker of said county for teaching poor children in the year 1847, in the 550th District, G. M., in said county, the amount of his account, the sum of \$26 32 cents, on examination of said account and finding the same correct, out of any money in his hands of the Poor School Fund not otherwise disposed of."*

Mr. Riley offered the following amendment, which was agreed to, to wit :

*"And that the provisions of this act, for the years 1852 and 1853, shall be extended to Lumpkin county."*

Mr. Gross offered the following amendment, which was agreed to, to wit :

*"And that the provisions of this act apply to Scriven county."*

Mr. Gartrell moved to amend by adding,

*"And be it further enacted, That the provisions of this act be extended to the counties of Cobb and Cherokee ;"* which was agreed to.

Mr. Smith of Liberty, offered the following amendment ; which was agreed to, to wit :

*"And be it further enacted, That the Ordinary of the county of Liberty, be authorized to pay to Thomas Wheeler the sum of twelve dollars, for teaching poor children of said county, in said county, in the years 1852 and 1853, on his*

account being properly attested, to the satisfaction of said Ordinary, any law to the contrary, notwithstanding."

The report of the committee, as amended, was agreed to ; the bill was read the third time and passed.

Mr. McDougald offered the following resolutions, which were taken up, read, and on motion of Mr. McDougald, were adopted :

*Resolved*, That this General Assembly has received with deep regret, the intelligence of the decease of Major George Taylor, of the United States Army, who was lost in the recent shipwreck of the San Francisco, a son of Georgia, who graduated at West Point with distinguished honor, and who was twice breveted for eminent military services in the late war with Mexico ; the people of Georgia have regarded him as one of her brightest military jewels, and cherish his memory with the devotion that his talents, moral worth, and military services have won.

*Resolved*, That his Excellency, the Governor, be requested to transmit a copy of these resolutions to the father of Mayor Taylor.

Mr. Phillips, from the Committee on Finance, reported back to the House, without any expression of opinion thereon, the following bill, to wit :

A bill to be entitled an act to authorize the Governor to draw his warrant upon the Treasury for fifty-seven dollars and seventy-seven cents, in favor of George Davis, being the amount over paid by him, for taxes to the State.

The House went into Committee of the Whole, Mr. Mobley in the Chair, on the foregoing bill.

Mr. Mobley offered the following amendment, which was agreed to, to wit :

*"And be it further enacted*, That the sum of five dollars and fifty cents be paid to John B. Walker, of Harris county, for taxes overpaid by him, through mistake." After some time spent thereon, the committee rose and reported the bill back to the House, with the amendment.

The report of the committee was agreed to.

On motion of Mr. Stapleton, the bill was laid on the table for the present.

By general consent, Mr. Irwin reported the following bill, which was read the first time, to wit :

Mr. Irwin reported

A bill to be entitled an act to levy and collect a tax for each of the political years 1854 and 1855, and thereafter, until repealed.

Mr. Pottle moved that the House now adjourn until half past nine o'clock to-morrow morning ; which motion was lost.

Mr. Harden of Clarke, then moved to adjourn until 9 o'clock to-morrow morning.

Upon which motion the yeas and nays were required to recorded, and are : yeas 53, nays 41.

Those who voted in the affirmative are Messrs.

Adams,	Latham.	W. R. Smith,
Bell,	Leverett,	W. Smith,
Calloway.	Linn	Stapleton,
Cameron,	Mangham,	Stephens,
Benj. Cleveland,	Maxwell,	Stokes,
Dodds,	Mays,	Strother,
Fannin.	McCurdy,	J. Taylor,
Fish,	McDougald,	D. W. Taylor
Gartrell,	McWhorter.	Thornton,
W. P. Harden,	Paris,	Trice,
Haynie	Phillips,	Turner,
Harris,	Pickett.	West
Harrall	Poole,	Whitworth,
Hardison	Pottle,	A J Williams
Hamilton,	Richardson,	Williamson,
Hood	Riley	Wilson
Holland	R. A Robinson,	Woodward,
Lamar,	Rowell,	

Those who voted in the negative are Messrs.

Alread,	Hays,	Rice,
Andrews	Headen,	N. Robinson,
Armstrong,	Henderson,	Rumph,
Bridges	Irwin,	Staten
Clements.	Masters,	L. S. Stewart,
Cody,	Manor,	J. Stewart,
Dawson,	McDonald,	Strickland,
Durden	Mobley,	Sweat.
Dial	Moody,	J. H. Walton,
Fields,	Nichols	W. A. Walton,
Griffin,	Radford	Walker
Gross,	Redding,	Williford,
Harrison,	G. R. Reid,	Young,
Hatton,	M Reid,	

So the motion prevailed, and the House adjourned accordingly.

## FRIDAY, FEBRUARY 3d, 1854.

The House met pursuant to adjournment.

The House resumed the reading of bills the third time.

The House went into Committee of the Whole—Mr. McDougald in the Chair—on the bill to be entitled an act to authorize the Governor of this State, to cause to be paid to the School Commissioners of Tattnall county, certain money.

After sometime spent therein the committee rose and reported the bill back to the House without amendment.

The report of the committee was disagreed to. The bill was read the third time and lost.

On motion, leave of absence was granted to Mr. Champion, for a few days on special business.

The House went into Committee of the Whole—Mr. McDougald in the Chair—on the bill to be entitled an act to appropriate one thousand dollars to open the Canoochee River, from Tilman's old bridge, to the fifteen mile creek, and appoint Commissioners for the same.

After some time spent therein, the committee rose and reported the bill back to the House, without amendment.

The report of the committee was agreed to. The bill was read the third time and lost.

The House took up the report of the committee on the bill to be entitled an act to authorize the Ordinary of the county of Upson, to pay over to Green H. Perdue, the sum of money due him for teaching certain poor children in said county, in the year 1852.

Mr. Hardeman offered the following amendment, which was agreed to, to wit :

*"And be it further enacted, That the Ordinary of Bibb county, be required to pay over to J. C. Moore, a teacher of poor children in said county, for the year 1853, out of any money in his hands, the sum of twenty-nine dollars and 35 cents, for services rendered as teacher for said year, on his presenting his accounts properly attested."*

Mr. Stephens offered the following amendment, which was agreed to, to wit :

*"That the Ordinary of Upson county, pay Mary Castlebury of Upson county, her accounts of 1853, for teaching poor, children."*

The report of the committee, as amended, was agreed to. The bill was read the third time and passed.

The House took up the report of the Committee on the bill to be entitled an act to alter and change the names of certain persons herein mentioned, and for other purposes.

The report of the committee, was agreed to. The bill was read the third time and passed.

On motion of Mr. Headen, the bill to be entitled an act to authorize and require the tax collector of the county of Hall, to pay over to the Interior Court of said county the taxes due the State from said county, for the year 1854, was indefinitely postponed.

The House took up the engrossed bill to be entitled an act to authorize Hezekiah H. Porter, an infirm man of the county of Hall, as an itinerant trader, to vend any good, wares or merchandize within the Western Circuit, without obtaining license for the same.

The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to define the line between the counties of Wayne and Ware, so far as relates to the south side of Satilla River.

Mr. Rumph moved to amend, by striking out the words "Cross Swamp," and insert, "Indian Bluff;" which was accepted.

Mr. Reid of Irwin, offered the following amendment, which was accepted, to wit :

*"And be it further enacted by the authority aforesaid, That the county line between Thomas and Worth counties, be so changed as to include lot of land number seven, in the 8th District of originally Irwin, now Thomas county, so as to transfer the residence of Jordan Hancock, from the county of Thomas, to the county of Worth."*

The report, as amended, was agreed to. The bill was read the third time and passed under the title thereof.

The House took up the report of the committee on the bill to be entitled an act to incorporate the Dalton and Copper Mines Turnpike, Plank and Rail Road Company.

Mr. Pickett offered the following amendment, which was agreed to, to wit :

*"Provided, Said road shall not run on nor obstruct the present highways now used."*

Mr. Turner moved to insert "Spring Place," after Dalton; which was agreed to.

The report of the committee, as amended, was agreed to.—The bill was read the third time and passed.

The House took up the engrossed bill, to extend the corporate limits of the town of Sandersville.

The bill was read the third time and passed.

The House took up the engrossed bill, to incorporate the Milledgeville Hotel Company.

The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to authorize the Interior Court of Bryan county, to lay out and dispose of, as they may deem necessary, the lots belonging to the county site of said county, and for other purposes therein specified.

The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to amend an act entitled an act to incorporate the Ogeechee Plank Road Company, and for other purposes therein mentioned.

Mr. Strickland moved to amend the bill by striking out the second section; which was agreed to.

Mr. Moody offered the following amendment, to come in after the second section; which was adopted, to wit:

*“Provided, Said company shall cut out and put in good order for ordinary travel, a road running near and parallel to said Plank Road.”* The report of the committee, as amended, was agreed to; the bill was read the third time and passed.

On motion, leave of absence was granted to Mr. Lamar for the morning on special business.

The House took up the report of the committee on the bill to be entitled an act to compel parties plaintiffs in Justices Courts to pay cost before taking out a writ of *capias ad satisfaciendum*. The report of the committee was agreed to: the bill was read the third time and passed.

On motion of Mr. Trice, the following resolution was taken up and read as follows:

*Resolved by the Senate and House of Representatives of the State of Georgia, That his Excellency the Governor be, and he is hereby requested to cause the Solicitor General of the Flint Circuit to institute the proper legal proceedings in the proper county for the forfeiture of the charter heretofore granted to the Griffin and West Point Plank Road Company.*

Mr. Trice moved the adoption of the foregoing resolution, upon which motion he required the yeas and nays to be recorded, which are: yeas 25, nays 62.

Those who voted in the affirmative are Messrs.

Alread	Hardison	J. Stewart,
W. C. Cleveland,	Henderson,	Strickland,
Crawford,	Hudson,	Strother,
Denham,	Linn.	Sweat
Durden,	Nichols.	D. W. Taylor.
Dial,	Redding	Trice,
Green,	G. R. Reid,	Williamson,
Haynie	W. Smith,	
Harrall	Stapleton,	

Those who voted in the negative are, Messrs.

Adams	Armstrong,	Calloway.
Andrews	Bostwick	Cameron,

Carlton,	Hood	Radford,
Benj. Cleveland,	Holland,	M. Reid,
Clements	Irwin	Rice
Cody,	Jones,	Riley,
Crittenden	Leverett,	Rowell,
Dodds	Martin,	Rumph,
Eberhart,	Masters	Shewmake,
Fannin,	Maxwell	Shine,
Gartrell	Mays	Staten,
Griffin	McCurdy,	Thornton,
Gross,	McDonald,	J. H. Walton
W. P. Harden,	McMillan,	W. A. Walton,
J. Hardin,	McWhorter,	Walker,
Harris,	Mobley,	West
Hatton,	Moody	A J Williams
Hardeman,	Paris	Wilson,
Hays,	Phillips,	Williford,
Hawkins,	Pickett,	Woodward,
Headen,	Pottle,	

So the motion to adopt the resolution was lost.

The following message was received from the Senate by Mr. Moore, their Secretary :

*Mr. Speaker*—The Senate has passed the following bills, to wit :

A bill to repeal an act entitled an act to permit owners of land lying on both sides of the rivers Oustanoula, Connasau-ga and Coosawattee, to erect mill dams or fish dams across the same, upon certain conditions, and to prescribe the punishment to which a violation thereof shall subject the offender, approved 22d December, 1847, and for other purposes. Also,

A bill to compel non-resident defendants, in cases of Forcible Entry, Forcible Detainer or Forcible Entry and Detainer, to give bond and security in certain cases. Also,

A bill to incorporate Friendship Academy, in the county of Twiggs, and to appoint trustees for the same. Also,

A bill to amend an act to prescribe the mode of laying out private ways, and for other purposes approved January 17th, 1852. Also,

A bill to render Charles Fitz Williams Blake, of Thomas county, capable of inheriting the property of Penelope Tyson, and to declare him the adopted son of said Penelope, and to place him in the same relation to her as if he were her legal heir. Also,

A bill to alter the time of the meeting of the General Assembly.

The Senate has also passed the following bill of the House of Representatives, to wit :



A bill to appropriate a sum of money to remove obstructions from the Big and Little Ohoopee Rivers and to render the same navigable, for certain purposes.

The House took up the report of the committee on the bill to be entitled an act to separate and divorce Flora J. Christopherson, of the county of Cobb and John Christopherson, her husband.

Mr. Gartrell moved to lay the bill on the table for the present ; which motion was lost.

On motion of Mr. Shewmake, the bill was postponed indefinitely.

The House took up the following engrossed bill, to wit :

A bill to be entitled an act for the relief of Martha W. Gray, and Louisa A. Mahaffey, teachers of poor children of the county of DeKalb, in the years 1847 and 1851.

Mr. Stewart, of Taylor, offered the following amendment, which was agreed to, to wit :

"To authorize the Ordinary of Taylor county to pay J. Stewart the amount of his account for teaching poor children in said county, in the year 1852, upon his producing sufficient evidence of the justice of the same." The report, as amended, was agreed to ; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to allow jurors, serving in Justices Courts, additional compensation for verdicts rendered in such courts, so far as relates to the county of Decatur. The report was agreed to ; the bill was read the third time and passed under the title thereof.

The House took up the report of the committee on the bill to be entitled an act to alter and amend the Poor School Laws of this State. The report of the committee was agreed to ; the bill was read the third time.

Mr. Haynie moved to lay the bill on the table for the present ; which was agreed to.

The House took up the report of the committee on the bill to be entitled an act to repeal all laws respecting the importation of slaves into this State. The report was agreed to ; the bill was read the third time, and on motion of Mr. Potelle, was laid on the table for the balance of the session.

The House took up the report of the committee on the bill to be entitled an act to amend an act to incorporate the Coosa and Chattooga River Rail Road.

Mr. Redding offered the following amendment, which was agreed to, to wit :

"*Provided*, That nothing in this charter shall exempt said company from liability, and they are hereby made liable under existing laws, or in any other manner that the Legislature may by law provide, for all damages sustained by any individual or individuals from the loss or crippling of stock or

any other species of property whatever, by the running of the locomotives, cars, engines, or any other motive power on said road; and also are, and shall be liable for all injuries received by any individual or individuals, or damage done him, her or them, by the running of the locomotives, cars, engines, or any other motive power on said road. And in the event death ensue, then the right of action or recovery shall survive to his, her or their representative or representatives, against the said company for said damages, and in all suits and controversies arising from causes aforesaid, the company shall be considered as *prima facie* at fault, and the burthen of proof showing themselves excusable, shall rest upon said company. *Provided*, further, that the stock in said rail road company shall at all times be subject to such tax as the present or any future Legislature may desire to levy on the same."

Mr. Strother called for the previous question, which was agreeing to the report of the committee as amended.

Upon which question Mr. Hawkins required the yeas and nays to be recorded, which are : yeas 59, nays 32.

Those who voted in the affirmative are, Messrs.

Adams,	Harrall,	Richardson
Alread,	Hardeman	R. A. Robinson,
Andrews,	Hawkins	N. Robinson
Bostwick.	Hardison,	Rowell,
Bridges,	Henderson,	Rumph,
Benj. Cleveland,	Holland	W Smith,
W. C. Cleveland,	Jones.	Stapleton,
Clements,	Leverett,	Staten,
Crawford	Linn,	J Stewart,
Crittenden,	Mangham,	Stokes,
Denham,	Masters	Strickland,
Dodds	McCurdy	Strother,
Dubignon,	McDougald,	Sweat,
Durden	McGregor	J. Taylor,
Eberhart,	Nichols	D. W. Taylor,
Gartrell,	Paris,	Trice,
Green,	Powell	West
Griffin,	Radford	Williamson,
J. Hardin,	G. R. Reid	Young,
Haynie,	M. Reid,	

Those who voted in the negative are, Messrs.

Bell	Harris,	Martin,
Calloway	Harrison	Maxwell,
Cameron,	Hays,	Mays,
Carlton,	Headen,	McMillan
Fannin.	Hood,	Phillips,
Gross,	Irwin	Pickett,
W P Harden,	McWhorter,	Poole

Pottle	Stephens,	A. J. Williams,
Redding,	Thornton	Williford,
Riley,	W. A. Walton,	Woodward,
Shewmake,	Walker.	

So the report was agreed to.

Pending which, the following message was received from the Senate by Mr. Moore, their Secretary :

*Mr. Speaker*—I am directed to inform the House of Representatives, that the Senate have receded from their disagreement to the amendment of the House of Representatives to the bill of the Senate, to alter the sessions of the Supreme Court at Milledgeville and Gainesville, and of certain Superior and Inferior Courts therein named, and concur therein.

The question then recurred upon the passage of the bill.

Upon which question, Mr. Carlton required the yeas and nays to be recorded, which are: yeas 56, nays 40.

Those who voted in the affirmative are, Messrs.

Adams,	Hatton,	R A Robinson
Andrews	Hawkins	N. Robinson,
Bridges	Hardison	Rowell
W. C. Cleveland,	Hamilton,	Rumph,
Clements	Henderson,	Shine,
Crawford	Hudson,	W Smith
Crittenden,	Jones,	Stapleton,
Denham,	Leverett,	Staten
Dodds,	Linn,	J. Stewart,
Dubignon	Masters	Stokes
Durden,	McCurdy,	Strickland,
Dial,	McDonald	Strother,
Eberhart,	McDougald,	Sweat,
Gartrell,	McGregor,	J. Taylor,
Green	Moody,	D. W Taylor,
Griffin,	Paris,	West,
James Hardin	Radford	Williamson,
Haynie	G. R. Reid,	Young,
Harrall	Richardson,	

Those who voted in the negative are, Messrs.

Alread,	W P Harden	Phillips.
Anderson,	Harris,	Pickett,
Armstrong,	Harrison,	Riley,
Bostwick.	Hardeman	Shewmake,
Calloway	Martin,	Stephens.
Cameron	Maxwell	Thornton
Carlton,	Mays,	Turner,
Benj. Cleveland.	McMillan,	W. A. Walton,
Griffin,	McWhorter.	Walker
Gross	Nichols,	A J Williams

Hays,	Poole,	Williford,
Headen,	Pottle,	Woodward
Hood	Redding,	
Irwin,	M. Reid,	

So the bill passed, under the title thereof.

On motion, leave of absence was granted to Messrs. Latham and Dawson, for a few days, on special business.

Mr. Reid, of Irwin, moved that the House adjourn until 6 o'clock, P. M.

On which motion, the yeas and nays were required to be recorded, at the call of Mr. Harrison, and are: yeas 59, nays 30

Those who voted in the affirmative, are Messrs.

Andrews,	Irwin,	M. Reid
Armstrong,	Latham	Rice
Bostwick,	Linn,	Richardson
Calloway,	Mangham	Riley
W. C. Cleveland,	Martin	R A Robinson
Crawford,	Masters	Rowell
Crittenden,	Maxwell,	Rumph,
Dubignon	McCurdy,	Shine
Dial,	McDonald,	Staten,
Fannin,	McDougald,	Stokes,
Fields,	McGregor	Strother,
Griffin,	Mc Whorter	Sweat,
Gross	Paris,	J Taylor
J. Harden,	Pickett	D. W. Taylor
Harris	Poole,	Walker,
Hatton,	Pottle	West
Hardeman,	Powell,	Whitworth,
Hawkins	Radford,	A. J. Williams,
Headen	Redding,	Woodward.
Holland,	G. R. Reid,	

Those who voted in the negative are, Messrs.

Alread	Harrison,	Shewmake
Anderson,	Harrall	W. R. Smith,
Boatright	Hays	Stapleton,
Carlton,	Hamilton,	Strickland,
Benj. Cleveland	Henderson	Trice,
Durden	Hood,	Turner,
Eberhart,	Hudson	W A. Walton
Fish,	Moody,	Williamson,
W. I. Harden,	Nichols,	Williford,
Haynie	N. Robinson,	Young

So the motion to adjourn prevailed.

## THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

The House took up the report of the committee, on the bill to be entitled an act to increase the commissions of the Receiver of Tax Returns of the county of Chatham.

Mr. Harrison offered the following bill, as a substitute to wit :

A bill to be entitled an act to increase the commissions of the Receiver of Tax Returns, of the county of Chatham.

The substitute was received. The report of the committee was agreed to, and the bill read the third time and passed.

By unanimous consent, the following bill was introduced, and read the first time, to wit :

Mr. McComb reported

A bill to be entitled an act to alter and change the name of John Andrew Turner to that of John Andrew Barclay, his reputed father.

On motion, leave of absence was granted to Messrs. Griffin, Bell and Shine, on account of sickness in their families.

The House took up the report of the committee, on the bill to authorize attorneys at law to to arrest proceedings at law by *certiorari* in certain cases.

The report was agreed to. The bill was read the third time and lost.

The House took up the report of the committee, on the bill to be entitled an act to incorporate certain churches, camp grounds, academies, seminaries, &c. and masonic lodges herein named, and for other purposes.

Mr. Williford moved to amend, by striking out all of the 3d Section. relating to the Western Masonic Male and Female Institute, and inserting the following, to wit: "That, from and after the passage of this act, Mark Holloman, Homer V. Mulky, Peter Reddick, Jacob Dennard, James M. Shivers, James G. M. Ball and Jeremiah A. Bell, and their successors in office, be, and they are hereby, constituted a body corporate and politic, under the name of the Western Masonic Male and Female Institute; and that they, as trustees, for educational purposes, may proceed to organize themselves, and appoint all necessary officers, to carry into effect the object of their incorporation, and shall hold their offices of trustees, as aforesaid, until their successors shall be elected, as hereinafter provided for.

"*And be it further enacted*, That the trustees aforesaid, and their successors in office, under the name and style aforesaid, may use a common seal, and shall be capable of suing and being sued, pleading and being impleaded; also, to have, take, possess and acquire by gift, grant, purchase or devise,

lands, tenements, hereditaments, goods, chattels, rights, credits and other estate, and the same to use, lease, improve and convey in fee simple, or otherwise.

“*And be it further enacted*, That the trustees aforesaid, and their successors in office, shall be empowered to receive all gifts, grants, legacies, privileges and immunities, which now belong to the said Institute, or which may hereafter be made or bequeathed to it; and no misnomer of the corporation, or other technical error, shall prevent its rights from vesting, whenever it may appear, or shall be ascertained, that it was the intention of the party or parties, to give, grant, or bequeath any property, real or personal, or any right or interest, to the said corporation.

“*And be it further enacted*. That the trustees aforesaid, and their successors in office, shall have the power and authority to borrow money, negotiate loans, or enter into any contract or contracts, which they, or a majority of them shall deem necessary, to and for the use of said Institute, or in any other way, which they, or a majority of them, shall or may determine.

“*And be it further enacted*, That such trustees, and their successors in office, or a majority of them, shall have power and authority to make all such laws, rules and regulations for the government of said Institute, as they may deem fit and proper: *Provided*, Nothing in such by-laws, rules and regulations, be repugnant to the Constitution and laws of the United States, or of the State of Georgia.

“*And be it further enacted*, That the trustees aforesaid, and their successors in office, shall have the power of appointing a Principal Teacher, and all other officers, they may think necessary for said Institute, and the same, or any of the same, to discontinue and remove, when they think fit and proper: *Provided*, A majority of said trustees concur in such such removal.

*And be it further enacted*, That the trustees shall prescribe the course of studies to be pursued and taught in said Institute, and appoint and fix the salaries of the different officers—establish the rates of tuition—adjust the expenses and adopt such regulations, not otherwise provided, as they may deem necessary for the interest of said Institute.

“*And be it further enacted*, That the Principal of said Institute—by and with the consent of the Trustees—shall have power to confer such honors, degrees, medals and privileges as is usual in Colleges and Universities, and to grant suitable diplomas.

“*And be it further enacted*, That the Trustees of said Institute shall hereafter be elected annually, on the 3d Saturday in November, by the Stockholders of said Institute; and in the event there be a failure to hold an election at the time above directed, an election may be held on any other day

thereafter; any one who has previously served as Trustee shall be eligible, and should any vacancy occur in the Board of Trustees—by death, removal, resignation or otherwise—said vacancy shall be filled by the vote of the stockholders, at any time appointed for the purpose by the remaining Trustees.

*“And be it further enacted, That the value of shares of stock in said Institute shall not be less than ten dollars, and that each stockholder is entitled to a vote in the election of said Trustees, and of other officers of said Institute, not previously provided for by this Act (for each share subscribed.)”*

*“And be it further enacted, That said Trustees shall have the power to appoint additional Trustees, not to exceed thirty.”*

Mr. Clements moved to amend the bill by striking out all that portion in reference to the Villanow Academy in the county of Walker; which was agreed to.

Mr. Reid of Carroll, moved to fill up the blank in the fifth section, with “113,” as the number of Tallapoosa Lodge of Free and Accepted Masons.

The report was agreed to. The bill was read the third time and passed.

Mr. Phillips from the Committee on Finance, made the following report, to-wit:

The Committee on Finance, to whom was referred the bill for the relief of John M. Wilhite, of Jackson county, have had the same under consideration, and after a careful examination of the various grounds on which the bill has been predicated, have unanimously concurred in the opinion that the bill should not pass.

The House went into Committee of the Whole—Mr. Harrison in the Chair, on the bill to be entitled an act for the relief of John M. Wilhite of the county of Jackson and to appropriate to him a sum of money therein specified.

After sometime spent therein, the committee rose and reported the bill back to the House, without amendment.

The report of the Finance Committee was agreed to.—The bill was read the third time and lost.

Mr. Phillips from the Committee on Finance, made the following report: which was read and concurred in, as follows:

The committee, to whom the within petition was referred, are of opinion that the prayer of the petitioner should not be granted.

Mr. Phillips from the Committee on Finance, made the following report:

The Finance Committee have examined into the merits of the bill, and report in favor of its passage.

The House went into Committee of the Whole—Mr. Harrison in the Chair—on the bill to be entitled an act to appropriate a sum of money therein specified, and to authorize his

Excellency the Governor to draw his warrant on the Treasury in favor of Drewry W. Taylor of Houston county, for twenty-two dollars and ninety-six cents, for moneys advanced to pay for advertising lands, and for commissions for selling the land, under the provisions of an act approved December 30th, 1847; and after some time spent therein, the committee rose and reported the bill back to the House without amendment.

The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to repeal the 3d Section of an act to extend the corporate limits of the town of Eatonton, to regulate license therein, and to change the time of electing commissioners, and for other purposes, approved January 22d, 1852.

Mr McDonald offered the following amendment; which was agreed to, to wit:

*"And be it further enacted by the authority aforesaid, That the corporation limits of the town of Thomasville, in Thomas county, be so extended as to include the residence of Thomas J. McBain, now living on the border of said corporation."*

Mr. Cawtord offered the following amendment; which was agreed to, to wit:

*"And to amend an act incorporating the town of Cassville, in the county of Cass, passed on the 27th day of December, 1843."*

The report of the committee, as amended, was agreed to. The bill was read the third time and passed.

The House took up the report of the committee, on the bill to be entitled an act to incorporate the Clinch Rifles Loan Association.

The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report of the committee, on the bill to be entitled an act to authorize one partner to confess judgment and enter appeal in certain cases

The report of the committee was agreed to. The bill was read the third time and lost.

The House took up the report of the committee, on the bill to be entitled an act for the relief of Linney Pool, formerly Linney Walker, of Wilkes county, and to change the name of said Linney Pool to that of Linney Walker.

Mr. McDougald offered the following amendment; which was agreed to:

*"And that William C. Sanders, of the county of Muscogee, be and he is hereby relieved from all the pains and penalties enacted against the crime of bigamy and polygamy and that he is hereby allowed to marry again, also, and that*



Andrew J. Prescott, of the county of Appling, and Stephen Titshaw, be entitled to the like relief and privileges.

The report of the committee, as amended, was agreed to. The bill was read the third time and passed.

The House took up the report of the committee, on the bill to be entitled an act to alter and amend the 17th Section of the first article of the Constitution.

The report of the committee was agreed to, and upon the question "Shall this bill now pass?" the yeas and nays were required to be recorded, and are : yeas 54, nays 42.

Those who voted in the affirmative are Messrs.

Adams	W P. Harden,	Mobley,
Alread	Harrall,	Paris,
Anderson,	Hardeman,	Radford,
Bridges,	Hardison,	Richardson,
Brown	Hamilton,	Rowell
Calloway,	Headen,	Rumph
Cameron,	Henderson,	Shewmake,
Carlton.	Hood	Stapleton,
Clements	Hudson,	Staten,
Cody,	Irwin,	Strickland,
Crittenden,	Lamar,	Strother,
Dubignon,	Leverett,	Sweat,
Durden,	Martin	W A. Walton,
Dial,	Masters,	Walker
Eberhart,	Mays,	A. J. Williams,
Fannin.	McCurdy,	Williamson,
Gartrell,	McMillan,	Woodward,
Gross,	McWhorter	Young,

Those who voted in the negative are, Messrs.

Andrews,	Keith,	Rice,
Armstrong,	Linn,	Riley,
Bostwick,	Mangham,	N. Robinson,
Benj. Cleveland,	Maxwell	W. R. Smith,
W C Cleveland	McDougald,	Wm. Smith,
Crawford,	McGregor,	Stephens
Denham,	Moody	J. Stewart,
Fields,	Phillips,	Stokes,
James Hardin,	Pickett,	J. Taylor,
Harrison,	Poole,	D W Taylor
Hays,	Pottle,	Trice.
Hawkins,	Redding	Turner
Holland,	G. R. Reid,	Whitworth,
Jones,	M. Reid,	Williford

Two-thirds not voting for the bill, it was lost.

Mr. Haynie, from the Committee on the Deaf and Dumb Asylum, reported the following bill; which was read the first time, to wit:

A bill to be entitled an act to alter and amend an act entitled an act to provide for the indigent Deaf and Dumb citizens of this State, and for other purposes herein named.

The following message was received from the Senate by Mr. Moore, their Secretary:

*Mr. Speaker*—The Senate has passed the following bills, to wit:

A bill to authorize the Inferior Courts of the several counties of this State, to bind out free negroes or free persons of color in certain cases. Also,

A bill to protect the owners of lands or tenements against intruders. Also,

A bill to change the names of certain persons, to legitimize them and to make them heirs at law of certain persons.

The House took up the report of the committee, on the bill to be entitled an act to authorize Drs. Wm. D. Quinn and James H. Lane, of the county of Wilkes, to practice medicine and charge for the same, and for other purposes therein specified.

The report of the committee was agreed to. The bill was read the third time and on the question, "Shall this bill now pass?" Mr. Dial required the yeas and nays to be recorded and they are: yeas 62, nays 28.

Those who voted in the affirmative are, Messrs

Alread,	Hardeman,	Pickett,
Anderson,	Hays	Pottle,
Armstrong,	Headen,	Powell
Bostwick,	Henderson	Powers,
Boatright	Hudson.	Radford,
Brown	Irwin,	Redding,
Calloway,	Keith,	G. R. Reid,
Cameron,	Lamar	Richardson
Cody	Linn,	Rowell
Crawford,	Martin	Shewmake
Crittenden	Masters	W. Smith,
Dubignon,	Maxwell,	Stapleton,
Durden	Mays	Staten
Eberhart,	McCurdy,	Stephens,
Fields,	McDonald,	Strother
Gartrell,	McDougald	Sweat,
Gross,	McGregor,	H. L. Williams,
James Hardin,	McMillan,	A. J. Williams
Haynie	McWhorter,	Williamson,
Harris	Moody,	Woodward,
Harrall	Paris,	

Those who voted in the negative are Messrs:

Bridges,	Jones,	D. W. Taylor,
Carlton,	Mangham	Trice,
Benj. Cleveland,	Mobley,	Turner,
Clements	M. Reid,	J. H. Walton,
Dial,	Rumph,	Walker,
Green	Rice,	Whitworth,
Halton,	W. R. Smith,	Williford
Hawkins,	J Stewart	Young,
Hardison,	Strickland,	
Hood	J. Taylor,	

So the bill passed.

The House took up the report of the committee on the bill to be entitled an act to allow the several Receivers of Tax Returns of this State additional compensation for their services.

The report of the committee was agreed to. The bill was read the third time, and on motion of Mr. Walker of Richmond, laid on the table for the balance of the Session.

The House took up the report of the committee on the bill to be entitled an act to change the line between the counties of Newton and Walton.

The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to incorporate a bank in the city of Dalton to be called the Planters and Mechanics Bank of Dalton.

Mr. McCurdy moved to amend the 2d section, by striking out "\$50,000," and inserting "\$150,000," also by striking out "\$150,000," and inserting "\$250,000;" which was agreed to.

Mr. McCurdy also offered the following amendment; which was agreed to, to wit:

*"And be it further enacted, That the stock of said Bank shall not be owned by persons not residents of this State, to a larger amount than one-fourth of the capital actually paid in."*

Mr. Pottle moved to strike out the 12th Section of the bill: which was agreed to.

The report of the committee, as amended, was agreed to. The bill was read the third time, and upon the question, "Shall this bill now pass?"—at the call of Mr. Trice—the yeas and nays were required to be recorded, and are; yeas 53, nays 38.

Those who voted in the affirmative are, Messrs.

Benj. Cleveland,	Irwin,	W. Smith,
W. C. Cleveland,	Lamar	Stapleton
Clements	Martin	Staten,
Cody,	Masters,	Stephens,
Crittenden,	Mays,	Stokes,
Durden,	McCurdy,	Strother
Dial	McDougald,	Sweat
Eberhart,	McGregor,	J. Taylor,
Green	Paris	Turner,
James Hardin,	Pickett,	J. H. Walton,
Harris,	Poole	W. A. Walton,
Harrison	Pottle	West,
Harrall,	Powers	A. J. Williams
Hatton,	Radford,	Williford,
Hardeman	Redding.	Woodward,
Hawkins	G. R. Reid,	Young,
Hardison,	Richardson,	
Headen,	W. R. Smith,	

Those who voted in the negative are Messrs.

Adams	Holland,	M Reid,
Alread,	Hudson,	Rice
Anderson,	Jones	Riley,
Andrews	Keith,	N Robinson
Armstrong,	Leverett	Rumph,
Bostwick,	Mangham,	J. Stewart,
Boatright	Maxwell.	Strickland,
Bridges	McMillan,	D. W. Taylor
Calloway,	McWhorter	Trice,
Fish,	Mobley,	Walker,
Hays,	Moody.	Whitworth.
Henderson,	Nichols,	Williamson,
Hood	Phillips,	

So the bill was passed.

The House took up the report of the committee on the bill to be entitled an act to compel Clerks of the Superior and Inferior Courts, Justices of the Peace and all other officers of this State empowered to issue executions to make out and tax a regular bill of costs in each case.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to incorporate a Bank in the

city of Savannah, to be called the Mechanics and Traders Bank.

Mr. Harrison moved to fill the blank in the 1st Section with the words and figures, "first day of January, 1884;" which was agreed to.

Mr. Harrison moved to amend the 2d section, by striking out "\$200,000," and inserting "\$100,000;" which was agreed to.

Mr. Harrison moved to amend the 3d Section, by filling the blank with "first day of April."

Mr. Harrison moved to amend the 4th section, by filling the blank with the words, "second Monday in January;" which was agreed to.

Mr. Redding moved to amend the 10th section, by striking out the word, "subscribed," and inserting in lieu the words, "actually paid in;" which was agreed to.

Mr. Irwin offered the following amendment, as an additional section, which was accepted, to wit:

*"And be it further enacted,* That the private property of each stockholder shall be bound for the ultimate redemption of all bills or notes issued by said bank, and all other claims against the same, in proportion to the stock held by them respectively; and that the charter hereby granted shall be forfeited, provided a majority of the stock shall at any time be owned or held by persons living without this State.

*"And be it further enacted,* That the liability of the private property of the stockholders provided for in the foregoing section shall continue for six months after the transfer of any portion of said stock by any of the stockholders, provided said bank was not in a solvent condition at the time of the transfer, and the proof of the condition of the bank at the time of the transfer shall devolve on the stockholder so transferring his or her stock."

The report of the committee was agreed to. The bill was read the third time, and upon the passage of the bill the yeas and nays were required to be recorded, upon the call of Mr. Hood, and are: yeas 57, nays 25.

Those who voted in the affirmative are Messrs.

Boatright,	Eberhart,	Hawkins,
Calloway,	Fannin	Hamilton,
Cameron,	Gross,	Headen,
Benj. Cleveland,	W P Harden	Irwin,
W C Cleveland	James Hardin,	Masters,
Cody	Harris,	McCurdy,
Crittenden	Harrison	McDonald,
Denham,	Harrall	McDougald,
Durden	Hardeman,	Paris,
Dial,	Hays,	Phillips,

Pickett,	W R. Smith	Turner,
Poole,	Stapleton	J H Walton
Pottle,	Stokes,	W A. Walton,
Redding,	Strickland,	Walker,
G R Reid	Strother.	West.
Richardson.	Sweat,	A. J. Williams,
Riley	J Taylor,	Williford,
N. Robinson,	D W Taylor	Woodward,
Rumph,	Trice	Young,

Those who voted in the negative are Messrs.

Adams,	Henderson,	McWhorter,
Alread,	Hood,	Mobley,
Andrews,	Holland	Nichols,
Bridges	Hudson,	M. Reid,
Fields	Keith	Rice,
Fish,	Mangham	J Stewart
Green	Maxwell,	Whitworth,
Hatton,	McGregor,	
Hardison,	McMillan	

So the bill passed under the title thereof.

Mr. Stapleton reported as duly enrolled a bill to be entitled an act to appropriate a sum of money to remove obstructions from the Big and Little Ohoopce rivers, and to render the same navigable for the transportation of lumber, rafts, lumber, wood and produce thereon, and for other purposes herein mentioned.

Mr. Shewmake offered the following resolution; which was read:

*Resolved*, That the time of the meeting of this House, after to-day, shall be half past nine o'clock, A. M.; half-past two o'clock, P. M., and half past seven o'clock in the evening.

On motion of Mr. Pottle, the House then adjourned until half-past 7 o'clock, P. M.

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### HALF-PAST SEVEN O'CLOCK, P. M.

The House met pursuant to adjournment.

The House took up the report of the committee on the bill to be entitled an act to authorize the Ordinary of Campbell county to pay over to Samuel H. Watson of said county forty two dollars and seventy-five cents, for teaching poor children in the year 1849.

The report of the committee was agreed to. The bill was read third time and passed.

Mr. Haynie from the Finance Committee, reported the following bill back to the House, without any recommendation, to wit :

A bill to be entitled an act to appropriate money for the benefit of Thomas Lewis, Tax Collector of Scriven county.

The House went into Committee of the Whole—Mr. Harrison in the chair—upon the foregoing bill, and after some time spent therein, the committee rose and reported the bill back to the House, without amendment.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to incorporate the Cherokee Wesleyan Institute, located at Cave Spring, and for other purposes.

The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to repeal an act entitled an act to repeal the proviso of the 4th section of an act to alter and amend the Road Laws of this State, approved February 11th, 1850, and to provide for the collection of fines from defaulters, and for other purposes therein mentioned, so far as relates to the county of Chatham.

Mr. Harrison offered the following as a substitute ; which was accepted, to wit :

A bill to be entitled an act to amend the several Road Laws of this State, so far as relates to the county of Chatham.

The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to incorporate the Tocoah Mining company, and for other purposes.

Mr. Turner offered the following amendment, as an additional section; which was agreed to, to wit :

“That from and after the passage of this Act, Archibald Fitzgerald, Dawson A. Walker, Edward M. Galt, Francis M Galt, John M. Wood, Thomas H. Calloway and Euclid Waterhouse, their associates and successors, are hereby constituted a body politic and corporate, by the name of Spring Place Mining Company, for the purpose of exploring copper, iron and other ores, metals, minerals and fossil substances, and for mining, working, smelting and vending the same, and for such purposes, may erect all necessary buildings and other apparatus and fixtures for carrying on their operations; and by that name may sue and be sued, plead and be

be impleaded, appear, prosecute and defend in any court of law or equity whatever, in all suits and actions; may have a common seal, and the same alter, or renew, at pleasure, and may enjoy all the privileges incident to corporations, and may purchase, hold, mortgage, transfer and convey, any real and personal estate.

"The first meeting of said corporation, may be called by the persons named in this act, or any four of them, at such time and place as they may elect, and at such meeting a Board of Directors shall be chosen from among the stockholders by the vote of a majority of the Stockholders present at at such meeting; and such board of directors shall take charge of the operations of said company, subject to such rules and regulations as may be adopted by the stockholders; said Directors shall hold office for one year, or until their successors are elected, and may adopt such by-laws and regulations for the government of the concerns of the company as they may deem expedient, not inconsistent with the rules made by the Stockholders as aforesaid, nor with the Constitution and laws of the United States, and of this State.

"The Directors shall cause a book to be kept, containing the names of all persons who are stockholders of said company, showing their place of residence, and the number of shares of stock held by each, respectively. the owners of said shares, and the amount of stock actually paid in—which book shall, during the business hours of each secular day; be open at the place of business of said county, for the inspection of the stockholders and creditors of the company and their representatives.

"The said corporation may divide their original stock into such number of shares, and provide for the sale and transfer thereof, in such manner and form as they may deem expedient, and whenever said company shall by purchase, lien or otherwise become possessed of any mine, mines or mineral rights, the Directors may make a separate and distinct interest of each mine, and divide said interest into such a number of shares, as they may deem expedient (not exceeding in amount two hundred thousand dollars for each mine) and may levy and collect assessments, forfeit and sell delinquent shares, declare and pay dividends on the shares of said mines, in such manner as their by-laws may direct.

"Said company shall not contract any debts, until the sum of fifty thousand dollars of the capital stock is paid in, no part of which shall be withdrawn, or in any manner diverted from the business of the company, and shall not contract debts at any time to an amount exceeding the amount of capital stock of said company.

"That a body corporate and politic, by the name and style of the Blue Ridge Mining Company, is hereby constituted, and established, for the same purposes as the Spring Place



ining Company, hereinbefore chartered and provided for ;  
 at the capital stock of said company shall not exceed two  
 undred thousand dollars, and shall be taken and subscribed  
 efore any three of the persons hereinbefore named,  
 ho may act as commissioners, and the said Blue Ridge  
 ining company, and the Stockholders therein, shall be en-  
 tled to all the rights, privileges and immunities, and subject  
 o all the liabilities imposed on said Spring Place Mining  
 ompany, as fully, amply and completely, as if said Blue  
 ridge Mining Company were now chartered and estab-  
 shed, in all the sections and words of said Spring Place  
 ining Company, by substituting the corporate name of  
 e former in said sections, for the corporate name of said  
 Spring Place Mining Company."

Mr. Riley offered the following amendment, which was  
 greed to, to wit:

"*Provided*, That the provisions of this act shall not  
 e so construed as to include the county of Lumpkin in this  
 tate."

The report of the committee as amended was agreed to;  
 e bill was read the third time and passed.

The House took up the report of the committee on the bill  
 o be entitled an act to change the line between the counties  
 f Clarke and Jackson, and to define the same ; which on  
 otion of Mr. McMillan, was postponed indefinitely.

The House took up the engrossed bill to be entitled an act  
 r the relief of Mary Ann Lincoln, wife of Charles J Lincoln  
 f Cass county.

The bill was read the third time and passed.

The House took up the report of the committee on the bill  
 o be entitled an act to exempt John Rowe of the county  
 f Chattooga, from an act of the General Assembly concern-  
 ng peddlers, and to authorize him to engage in vending  
 oods, wares and merchandize without license.

Mr. Haynie moved to lay the bill on the table for the bal-  
 nce of the session; which motion was agreed to.

The House took up the report of the committee on the  
 ill to be entitled an act, requiring all entries upon execu-  
 ons, to be copied upon the execution docket of the courts  
 om whence they issue, within a given time, and to fix a  
 enalty for the non performance, and for other purposes.

The report of the committee was disagreed to; the bill was  
 ead the third time and lost.

The House went into committee of the whole—Mr. Har-  
 rison in the chair—on the bill to be entitled an act to provide  
 or the survey of the 6th District of Habersham coun-  
 y. And after some time spent therein, the committee rose  
 and reported the bill with the amendments back to the  
 House.

The report was agreed to.

Mr. Stewart of Hancock called for the previous question, which was sustained.

The previous question which was upon the passage of the bill, was ordered to be put; and upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded, and are : yeas 29, nays 60.

Those who voted in the affirmative are Messrs.

Adams	Henderson,	Richardson,
Benj. Cleveland,	Holland,	Rowell,
W. C. Cleveland,	Hudson,	Stapleton,
Dodds	Keith,	L. S. Stewart
Green,	Lamar	D. W. Taylor.
J. Hardin,	Mays	Turner,
Haynie	McCurdy,	W. A. Walton,
Harrall	Paris	A J Williams
Hardison	Phillips,	Young,
Hamilton	Redding	

Those who voted in the negative are Messrs.

Alread	Hays,	M. Reid,
Andrews	Hawkins,	Riley,
Bostwick	Headen,	N Robinson
Boatright,	Hood	Rumph,
Bridges	Irwin	Shewmake,
Brown	Mangham	W. R. Smith,
Cameron,	Martin,	W. Smith,
Carlton,	Masters	Staten,
Clements	Maxwell	Stephens,
Crittenden	McDonald,	J. Stewart,
Denham,	McDougald,	Strickland,
Durden,	McWhorter,	Strother,
Dial,	Mobley,	J. Taylor,
Fannin,	Moody	Thornton,
Fish	Nichols.	Trice,
Gross,	Pickett,	Walker,
W. P. Harden,	Poole,	Whitworth
Harrison,	Pottle,	Williamson.
Hatton,	Radford,	Wilson,
Hardeman,	G. R. Reid,	Williford,

So the bill was lost.

The House took up the report of the committee on the bill to be entitled an act to amend an act to incorporate the Habersham and Union Turnpike Company, and to grant certain

privileges to the same, and for other purposes therein mentioned.

The report of the committee was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to permit James L Hobson an indigent and crippled person of Cherokee county, to peddle without license.

Mr. Hardeman moved to strike out "any county in the State," and insert "Cherokee and Pickens;" which was agreed to.

Mr. Reid of Irwin moved to extend the same privileges to every poor infirm man in the State; which was agreed to.

Mr. Gartrell moved to lay the bill and amendment on the table for the balance of the session. On which motion, the yeas and nays were required to be recorded, at the call of Mr. Alread, and are : yeas 62, nays 32.

Those who voted in the affirmative are Messrs.

Adams,	Hamilton,	N. Robinson,
Andrews	Holland	Rumph,
Bostwick,	Hudson,	Shewmake,
Boatright	Irwin,	W. R. Smith,
Bridges	Lamar,	W. Smith,
Burton,	Leverett,	Stapleton,
Benj. Cleveland,	Linn	Stephens,
W. C. Cleveland,	Mangham,	J. Stewart,
Belmonts.	Martin	Stokes,
Brittenden	Maxwell,	Strickland,
Bodds,	McCurdy,	Strother,
Bannin.	McDonald,	D. W. Taylor
Bishop,	McDougald,	Thornton,
Bartrell,	McMillan	Trice,
Booren	McWhorter.	W. A. Walton,
W. P. Harden,	Mobley,	Walker
Bainie	Phillips,	A J Williams
Barrison,	Poole,	Williamson,
Batton,	Pottle,	Wilson
Hardeman,	Redding,	Williford,
Bawkins,	G. R. Reid,	

Those who voted in the negative are, Messrs.

Alread,	Fields,	Hardison
Bameron,	Gross,	Headen,
Benham	J. Hardin,	Henderson,
Burden	Harrall	Hood
Bjral	Hays,	Keith,

Masters,	Radford	L. S. Stewart,
Mays,	Reid,	J. Taylor,
Moody,	Richardson,	Turner,
Nichols	Riley	Whitworth,
Paris,	Rowell,	Young,
Pickett.	Staten	

So the motion to lay on the table was agreed to.

The House took up the report of the committee on the bill to be entitled an act to incorporate the town of Whitesville, in the county of Harris, and to provide for the election of Commissioners of the same.

Mr. Hood offered the following amendment, which was adopted :

*"And be it further enacted, That all persons within the corporate limits, subject to road duty, shall be exempt from road duty, except as the Commissioners of said town so incorporated, shall direct."*

The report of the committee was agreed to ; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act for the protection of cotton planters, and others.

Mr. Haynie moved to lay the bill on the table, for the present ; which motion was lost.

The report of the committee was agreed to ; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to authorize the Commissioners of the town of Louisville, to sell and dispose of such streets as they may think proper, and to make valid deeds to such as may have been sold by previous Boards of Commissioners.

The report of the committee was agreed to ; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to legitimize Matilda Officer, wife of Thomas M. Officer, and for other purposes therein mentioned.

The report of the committee was agreed to ; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to incorporate Chandler Lodge, No. 155 of Free and accepted Masons.

Mr. Lamar offered the following amendment, which was read, to wit :

*"And be it further enacted by the authority aforesaid, That Benjamin F. W. Goss, Jesse L. Baker and Daniel L. Baker, and their associates be, and they are hereby incorporated, and made a body politic under the name of the Trustees of Sander's Division, No. 117 Sons of Temperance, in the*

county of Newton, and shall have extended to them all the provisions of this act."

The amendment was accepted.

The report of the committee, as amended, was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to incorporate the Savannah & Florida Steamboat Company.

The report of the committee was agreed to; the bill was read the third time and passed.

The House went into committee of the Whole, Mr. Mobley in the Chair, on the bill to be entitled an act to compensate Peter Mason, of the county of Whitfield, for grading done on the Western & Atlantic Rail Road—to point out the mode of payment, and for other purposes therein mentioned.

Pending the consideration of the bill, on motion of Mr. Lamar, the House adjourned until half past nine o'clock, to-morrow morning.

## SATURDAY, FEBRUARY 4th, 1854.

The House met pursuant to adjournment.

Mr. Phillips moved to reconsider so much of the Journals of yesterday, as relates to the passage of the bill to be entitled an act to amend an act entitled an act to incorporate the Coosa & Chattooga River Rail Road Company.

Mr. Alread called the previous question; which call was sustained, and the main question ordered to be put, and upon the question to reconsider, the yeas and nays were required to be recorded, and are: yeas 43, nays 55.

Those who voted in the affirmative are, Messrs.

Armstrong,	Holland,	Riley,
Bostwick,	Jones	Shewmake,
Boatright,	Lamar	Stephens
Brown,	Mangham,	Thornton,
Cameron.	Martin	Trice,
Carlton,	Maxwell,	Turner,
Benj. Cleveland,	McMillan	W A Walton
Cody,	McWhorter	Walker,
Fannin,	Mobley,	Whitworth,
W P. Harden,	Nichols,	A J Williams
Harris,	Phillips,	Wilson,
Harrison,	Pickett,	Williford,
Hays.	Pottle	Woodward,
Headen,	Redding,	
Hood	M. Reid,	

Those who voted in the negative are, Messrs.

Adams,	Hatton,	Rowell
Alread,	Hardeman,	Rumph
Andrews,	Hawkins,	W R. Smith,
Bridges,	Hardison,	W Smith,
W. C. Cleveland,	Henderson	Stapleton,
Clements	Hudson,	Staten,
Crawford,	Leverett,	L S Stewart,
Crittenden	Linn,	J. Stewart,
Denham,	Masters	Stokes,
Dodds,	Manor,	Strickland,
Dubignon.	McCurdy,	Strother,
Durden,	McDougald,	Sweat
Dial,	McGregor,	J. Taylor,
Eberhart	Moody,	D. W. Taylor,
Fields,	Radford,	J. H. Walton,
Gartrell	G. R. Reid,	Williamson,
Green,	Rice,	Young
James Hardin,	Richardson,	
Harrall,	N. Robinson,	

So the motion was lost.

Mr. Hays moved to reconsider so much of the Journals of yesterday, as relates to the passage of the bill to be entitled an act to change the line between the counties of Newton and Walton; which motion was agreed to.

Mr. Riley moved to reconsider so much of the Journals of yesterday, as relates to the bill to be entitled an act to incorporate the Tocoah Mining Company, and for other purposes; which motion was lost.

Mr. Crawford moved to reconsider so much of the Journal of yesterday, as relates to the bill to be entitled an act for the relief of Mary Ann Linton, wife of Charles J. Linton, of Cass county; which was agreed to.

Mr. Crawford moved to lay the bill upon the table, for the balance of the session; which was agreed to.

Pending which, the following message was received from the Senate, by Mr. Moore, their Secretary.

*Mr. Speaker*—The Senate has passed the following bills, to wit:

A bill to prevent the killing of deer, at certain periods of the year, in the county of Burke. Also,

A bill amendatory of the act incorporating the Commissioners of the Academy, in the county of McIntosh. Also,

A bill to amend an act entitled an act to incorporate the Savannah & Albany Rail Road Company, with power to extend said Road, and to construct branches, and to amend the

acts incorporating the Georgia Rail Road & Banking Company, and to change the name of said Savannah & Albany Rail Road Company. Also,

A bill amendatory of the several acts, regulating attachments in this State, and to authorize remedies in certain cases.

The Senate has also passed the following bills of the House of Representatives, to wit :

A bill to change the name of certain persons therein named, in the county of Emanuel. Also,

A bill to repeal an act entitled an act establishing an election precinct, at Thomas H. Burn's Mills, in the 34th District, Georgia Militia, in Scriven county; passed 1851 and 1852. Also,

A bill to compensate the Petit Jurors of Stewart county. Also,

A bill to compensate the Grand and Petit Jurors of Crawford county, and to provide for the payment of the same.— Also,

A bill to incorporate Walker Academy, in the county of Jasper. Also,

A bill to incorporate Southworth Male and Female Academy. Also,

A bill to incorporate the Oregon Steamboat Company of Georgia. Also,

A bill for the relief of William P. Allen, an Elizabeth Hooneman of Burke county. Also,

A bill to remove the precinct now at Moses Wright's house, and known as State's Rights, in the 230th District, Georgia Militia, of Oglethorpe county, to Woodstock in said District, and for other purposes. Also,

A bill to change the time of holding the Inferior Court in the county of Fayette. Also,

A bill to authorize and require the Ordinaries of Macon and Sumter counties, to pay Wm. M. Threlkeld of Sumter, certain sums of money for teaching poor children, and for other purposes. Also,

A bill to alter and change the names of certain persons, and for the purposes therein named. Also,

A bill to amend an act entitled an act to change the names and legitimize the persons therein named, and for other purposes, approved January, 21st, 1852, and for other purposes.

The House took up the report on the bill to be entitled an act to organize a new county out of the counties of Scriven and Burke, and for other purposes therein mentioned.

Mr. Gross moved to amend the first Section, by striking out the words "its junction with Briar Creek," and insert in lieu thereof, the following, to wit : "To the turnpike ford

above the camp ground to the hickory tree, landing, on Briar Creek, so as to leave the residence of Wilkins H. Nunally, in Scriven county."

Mr. Jones offered the following amendment, which was accepted, to wit :

"And that said county be required to keep in repair, all bridges and causeways on Briar Creek, the boundary line between said new county and Burke."

The report of the committee, as amended, was agreed to. The bill was read the third time and lost.

The House took up the report of the committee on the bill to be entitled an act to compensate Peter Mason, of the county of Whitfield, for grading down on the Western & Atlantic Rail Road, to point out the mode of payment and for other purposes therein mentioned.

Mr. Alread called for the previous question which call was sustained, and the main question ordered to be put.

The report of the committee was disagreed to. The bill was read the third time and lost.

The House took up the report of the committee on the bill to be entitled an act to authorize a grant to issue to William T. Williamson, of the county of Baldwin, to lot of land No. 120, in the 2d District of the 4th Section of the lottery of 1827.

Mr. Lamar moved to refer the bill to a special Committee; which motion was agreed to, and the Chair appointed Messrs. Lamar, Redding and Pottle, that committee.

The house took up the report of the committee on the bill to be entitled an act to incorporate the Church Wardens and Vestry of the Protestant St. John's Free Chapel; in the city of Savannah.

The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to authorize the Inferior Court of Laurens county, to levy an extra tax for pauper purposes.

The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to incorporate Andrew Female College, in Cuthbert.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to incorporate the Christian Church of Augusta, in the county of Richmond.

The report was agreed to. The bill was read the third time and passed.

The House went into Committee of the Whole—Mr. Gartrell in the Chair—on the bill to be entitled an act providing



for the removal of free persons of color, and for other purposes, and after some time spent therein, the committee rose and reported the bill back to the House without amendment.

The report of the committee was disagreed to. The bill was read the third time and lost.

The House took up the report of the committee on the bill to be entitled an act to change the Militia System of the State of Georgia.

On motion of Mr. Fannin, the bill was laid on the table for the balance of the session.

The House took up the report of the committee on the bill to be entitled an act to grant certain privileges to Volunteer Corps, that served in the late war with Mexico.\*

Mr. Harrison moved to amend, by exempting them from poll tax.

Upon the question of agreeing to the report of committee, as amended, the yeas and nays were required to be recorded at the call of Mr. McDougald, and are : yeas 39, nays 54.

Those who voted in the affirmative are Messrs.

Alread,	Gross,	Phillips
Bostwick,	Harrison,	Pickett,
Bridges,	Hood	Pottle,
Brown,	Jones	Redding,
Calloway,	Leverett,	G. R. Reid
Cameron,	Mangham,	Richardson,
W C. Cleveland,	Masters,	Riley.
Clements,	McDonald,	Stokes,
Crawford,	McDougald,	Strother
Crittenden	McMillan,	Turner
Dodds,	McWhorter	West.
Eberhart,	Mobley	A J Williams
Gartrell,	Paris,	Young.

Those who voted in the negative are, Messrs.

Andrews,	Fields.	Headen,
Armstrong,	Fish,	Henderson,
Boatright,	W. P Harden	Irwin,
Carlton,	J. Hardin,	Keith,
Benj. Cleveland,	Haynie	Lamar,
Cody,	Harrall,	Martin
Dubignon,	Hatton,	Maxwell,
Durden,	Hardeman	Manor,
Dial,	Hardison,	Mays,
Fannin,	Hamilton,	McGregor,

	W Smith	J. H. Walton,
Moody,	Stapleton	W A Walton
Nichols	Stephens,	Walker,
M. Reid,	L S Stewart,	Whitworth.
N. Robinson,	J. Stewart,	Williamson
Rumph,	Sweat,	Wilson,
Shewmake,	J. Taylor	Williford,
W R Smith,	Trice,	Woodward,

So the bill was lost.

The House took up the report of the committee on the bill to be entitled an act to alter and regulate the fees of the Ordinaries of this State.

On motion of Mr. Irwin, the foregoing bill was referred to the Committee on the Judiciary,

The House took up the report of the committee on the bill to be entitled an act to amend the several laws now of force, to protect Religious Societies in the exercise of their religious duties.

Mr. Hardeman moved to strike out the 1st Section.

Upon which motion, the yeas and nays were required to be recorded, at the call of Mr. McDougald, and are: yeas 87, nays 15.

Those who voted in the affirmative are Messrs.

Alread,	Hays,	McMillan,
Bostwick,	Hawkins,	McWhorter,
Bridges,	Hardison,	Mobley
Brown	Hamilton,	Moody.
Cameron,	Headen	Nichols,
Carlton,	Henderson,	Paris,
Benj. Cleveland,	Hood	Pickett,
W C. Cleveland,	Hudson,	Pottle,
Cody,	Irwin,	Powell,
Crittenden,	Jones	Redding,
Denham,	Keith,	G. R. Reid.
Dubignon	Lamar	M. Reid.
Durden,	Leverett,	Rice.
Dial,	Linn.	Riley,
Eberhart	Martin	R A Robinson
Fields,	Masters.	Rowell,
Gross.	Maxwell,	Rumph
J. Hardin,	Manor,	W. R Smith,
Haynie,	Mays	W Smith,
Harris	McDonald	J Stewart
Harrison,	McDougald,	Stokes
Hardeman,	McGregor	Strickland,

Strother	Turner,	Whitworth.
Sweat	J. H. Walton,	A J Williams,
J. Taylor.	W. A. Walton,	Williford,
Trice,	Walker,	Woodward,
	West,	Young,

Those who voted in the negative are Messrs.

Adams,	Mangham,	Shewmake,
Calloway,	McCurdy,	Stapleton,
Fannin,	Phillips	Stephens,
Harrall,	Powers,	Williamson.
Holland,	Richardson	Wilson

So the motion to strike out was agreed to.

Mr. Cleveland of Habersham, moved to lay the bill on the table for the balance of the session.

On which motion, the yeas and nays were required to be recorded, at the call of Mr. Pottle, and are : yeas 46, nays 51.

Those who voted in the affirmative are Messrs.

Adams,	Hardison,	M. Reid,
Bostwick,	Hamilton,	Rowell,
Brown,	Headen,	Rumph,
Calloway	Henderson,	Win. Smith,
Benj. Cleveland,	Hudson,	J. Stewart,
W C. Cleveland,	Irwin.	Sweat,
Crittenden,	Leverett,	J Taylor
Denham,	Linn,	D. W. Taylor
Dubignon	Masters,	Trice,
Durden,	Manor,	J. H. Walton,
Fields,	Mays,	West,
J Hardin	McDougald,	Whitworth,
Harris,	McGregor,	Woodward,
Hatton,	McMillan,	Young.
Hays,	Nichols,	
Hawkins,	G R Reid	

Those who voted in the negative are Messrs.

Alread,	Clements,	W. P. Harden,
Anderson,	Cody,	Harrison.
Boatright	Dial,	Harrall
Bridges,	Eberhart	Hardeman,
Cameron,	Fannin,	Hood,
Carlton	Gross.	Holland,

Jones,	Phillips,	Stephens,
Keith,	Pickett	Stokes,
Lamar	Pottle,	Strickland
Mangham,	Powers,	Strother,
Martin	Radford	Turner,
Maxwell,	Redding,	W. A. Walton.
McCurdy,	Richardson	Walker,
McDonald	Riley,	A J Williams
McWhorter,	N. Robinson,	Williamson,
Mobley,	Shewmake,	Wilson,
Paris,	Stapleton,	Williford,

So the motion was lost.

Mr. Hardeman moved to strike out "cakes, confectionary, or any other provisions;" which was agreed to.

On motion of Mr. Pottle, the bill was laid upon the table for the balance of the session.

The following message was received from the Senate, by Mr. Moore, their secretary :

*Mr. Speaker*—The Senate has passed the following bills, to wit :

A bill to authorize the payment of certain accounts therein specified.

A bill to permit George M. Tutt and George W. Newman to marry again and for their relief.

A bill to provide for the election of Marshal and Deputy in the town of Athens, and for their removal from office.

A bill to define an act relating to Commissioners of Pilotage for Savannah River passed in 1847

The Senate has also passed the following bills of the House of Representatives, to wit :

A bill to establish a Fire Company in Macon. Also,

A bill to change the names of certain persons therein mentioned with an amendment in which they ask the concurrence of the House of Representatives. Also,

A bill to compensate the Grand and Petit Jurors of the county of Wilkinson and to provide for the payment of the same with an amendment in which they ask the concurrence of the House of Representatives. Also,

A bill to incorporate the Phi Delta Masonic Academy in Franklin county with an amendment in which they ask the concurrence of the House of Representatives. Also,

A bill to change the line between the counties of Wilkes and Gordon with an amendment in which they ask the concurrence of the House of Representatives. Also,

A bill to alter and amend the 5th Section of an act to regulate the weighing of Cotton and other commodities in this State approved 8th December 1806, with amendments

in which they ask the concurrence of the House of Representatives. Also,

A bill to incorporate the town of Holmesville in the county of Appling and to render the county site of said county permanent with an amendment in which they ask the concurrence of the House of Representatives. Also,

A bill to repeal an act to make the public site in the county of Lee at Starksville, and to incorporate the same, to designate the corporate limits thereof, to appoint commissioners for the same, and to define their powers, approved December 26th, 1851, and to provide for the selection of a new county site and for other purposes herein mentioned.

The Senate has also agreed to a resolution requesting his Excellency, the Governor, to purchase of the Rev. George White, six hundred copies of his Historical Collections of Georgia, at a price, and for the purposes therein mentioned, in which they ask the concurrence of the House of Representatives.

The Senate has also passed a bill to amend an act, approved January 9th, 1852, to levy and collect a tax for each of the political years 1852 and 1853, and thereafter until repealed, which I am directed to transmit forthwith to the House of Representatives.

On motion of Mr. Fannin, the House took up the House bill to be entitled an act to alter and amend the 5th Section of an act, to regulate the weighing of Cotton and other commodities in this State, approved December 8th, 1806.

On motion of Mr. Fannin, the House concurred in the several amendments of the Senate.

The House took up the engrossed bill to be entitled an act for keeping in repair the public roads of Burke county: which was read the third time and passed.

On motion of Mr. Shewmake, the Clerk was directed to transmit the bill forthwith to the Senate.

On motion of Mr. McDougald, the petition of William S. Rogers, elected State Printer in the year 1839, praying for relief, was referred to the Finance Committee without being read.

By unanimous consent Mr. McDougald reported the following bill; which was read the first time, to wit:

A bill to be entitled an act to authorize and require the Judges of the Superior Courts in this State to bail or discharge defendants in criminal cases, under certain circumstances herein specified, and for other purposes therein mentioned.

On motion of Mr. Haynie, the following bill was taken up, read a second time and committed for a third reading, to wit:

A bill to be entitled an act to alter and amend an act entitled an act to provide for the indigent Deaf and Dumb

citizens of this State, and for other purposes herein named.

On motion of Mr. Hardeman, the House adjourned until 3 o'clock P. M.

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### THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. Shewmake offered the following resolution, which was taken up, read and adopted, to wit :

*Resolved*, That the time of the meeting of this House after to-day shall be half-past 9 o'clock, A. M., half-past 2 o'clock P. M., and half-past 7 o'clock in the evening.

On motion, leave of absence was granted to Messrs. Linn, Crawford, Taylor of Wilkinson and Holland for the balance of the day.

On motion of Mr. Phillips, the following bill was taken up, read the second time and ordered to be committed for a third reading.

A bill to be entitled an act to appropriate money for the benefit of Charles A. Dunwoody, of Cobb county.

On motion of Mr. Poole, the following bill was taken up and read the second time and ordered to be committed for a third reading.

A bill to be entitled an act to appropriate money for purposes therein mentioned.

On motion of Mr. Trice, the following bill was taken up and read a second time, to wit :

A bill to be entitled an act to lease and let the Penitentiary of the State of Georgia to Lewis Zachry for the term of six years, and for other purposes therein named.

The House took up the report of the committee on the bill to be entitled an act to change the time of holding the Superior Courts in the counties of Walker and Dade.

The report was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on a bill to be entitled an act to incorporate the Monticello and Griffin Rail Road Company, and for other purposes therein named.

Mr. Redding offered the following amendment which was accepted :

*“Provided*, That nothing in this charter shall exempt said Company from liability, and they are hereby made liable under existing laws, or in any other manner that the Legislature may by law provide, for all damages sustained by any individual or individuals from the loss or crippling of all kinds of stock or other species of property whatever, by

the running of the locomotives, cars, engines or any other motive power on said road, and also are and shall be made liable for all injuries received by any individual or individuals or damage done him, her or them by the running the said cars, engines, locomotives, or any other motive power on said road, and in event death ensue, then the right of action or recovery shall survive to his, her or their representative or representatives, against the said Company for said damages and in all suits and controversies arising from causes aforesaid, the said Company shall be considered as *prima facie* at fault, and the burden of proof showing themselves excusable shall rest upon said Company; provided further that the stock in said Rail Road Company shall at all times be subject to such tax as the present or any future Legislation may desire to levy on the same.

The report was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to incorporate Summerville Lodge 109, of Free and Accepted Masons, of the county of Chattooga.

On motion of Mr. Walker, the bill was indefinitely postponed.

The House took up the report of the committee on the bill to be entitled an act to repeal so much of the 3d Section of an act passed 17th of January, 1852, as requires two panels of Grand and Petit Jurors to be drawn, &c., &c.

The report was agreed to; the bill was read the third time and passed.

The House took up the report of the committee upon the bill to be entitled an act to authorize Francis Ponsell, of Glynn county, an infirm man, to peddle without license.

On motion of Mr. Shewmake, the bill was laid on the table for the balance of the session.

The House took up the report of the committee on the bill to be entitled an act to authorize the ordinary of Heard county, to pay Laura A. Albright, teacher of poor children in said county in the year 1852.

Mr. Haynie offered the following amendment, which was agreed to, to wit:

"*Provided*, That the provisions of the above recited act be extended to the county of Floyd."

The report of the committee agreed to; the bill was read a third time and passed.

The House took up the report of the committee on the bill to be entitled an act to incorporate the Franklin Bridge Company, and for other purposes therein specified.

The report was agreed to; the bill was read the third time and passed.

The House went into Committee of the Whole, Mr. Har-

rison in the Chair, on the bill to be entitled an act to endow the Mechanics' Society of Macon, at Macon, Georgia.

After some time spent therein the committee rose and reported the bill back to the House without amendment.

The report was disagreed to ; the bill was read the third time and lost.

The House took up the report of the committee on the bill to be entitled an act to authorize all Physicians within the State of Georgia, having received a Diploma from any Medical College within the United States, to practice physic and charge for the same, without license.

The report of the committee was agreed to ; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to reduce the taxes imposed upon persons and property of this State *one-third*, under the tax law of 1852 and 1853, and to exempt from taxation each taxpayer's indebtedness for property for which he has no legal title.

On motion of Mr. Walker, the bill was laid upon the table for the balance of the session.

The House took up the report of the committee on a bill to be entitled an act to change the 2d Section of the tenth division of the Penal Code of this State.

On motion of Mr. Walker, the bill was postponed indefinitely.

The House took up the report of the committee on the bill to be entitled an act to authorize the Ordinary of the county of Upson to pay over to certain Teachers of Poor Children, the amount of their said claims on said county for the year 1852.

The report was agreed to ; the bill was read the third time and passed, under the title thereof.

The House went into Committee of the Whole, Mr. Gartrell in the chair, on the bill to be entitled an act to appropriate money for the completion of the Cooper's Gap Road across the Blue Ridge, in the counties of Lumpkin and Union, and to appoint Commissioners for the same and for other purposes therein mentioned.

After some time spent therein the Committee rose and reported the bill back to the House without amendment.

The previous question was called, and the call sustained, and the main question was ordered to be put.

Pending which, Mr. Walker moved to lay the bill upon the table for the balance of the session.

On which motion Mr. Young required the yeas and nays to be recorded, which are : yeas 49, nays 24.



Those who voted in the affirmative are, Messrs.

Alread,	Hood,	Richardson,
Andrews,	Hudson,	N. Robinson,
Bostwick,	Jones,	Shewmake,
Bridges,	Lamar	W R. Smith,
Carlton,	Mangham,	Stapleton,
Fannin,	Martin,	Staten.
Fish,	Maxwell,	J. Stewart,
Gartrell,	Mays,	Strickland,
Gross	McWhorter,	Strother,
W. P. Harden,	Mobley,	J H Walton,
James Hardin,	Moody	Whitworth,
Haynie,	Nichols,	A. J. Williams.
Harris,	Powell	Williamson,
Harrison,	Powers	Wilson,
Hatton,	Redding,	Woodward,
Hardison,	G. R. Reid,	
Henderson,	M. Reid,	

Those who voted in the negative are, Messrs.

Adams,	Harrall,	Pickett,
Benj. Cleveland,	Hawkins,	Riley,
Clements,	Manor,	Wm. Smith,
Crittenden,	McDonald,	Sweat,
Durden	McGregor,	D W Taylor
Dial,	McMillan,	Turner,
Eberhart	Paris,	West,
Fields,	Phillips	Young,

So the motion was agreed to.

The House took up the report of the committee on the bill to be entitled an act to add that part of the 4th District of Habersham which lies in said county, to the county of Lumpkin.

On motion of Mr. Cleveland, the bill was laid on the table for the balance of the session.

The House took up the report of the committee on the bill to be entitled an act to alter, change and abolish certain election precincts herein mentioned.

Mr. Trice offered the following amendment.

*"And be it further enacted,* That the election precinct now established at the house of Leonard Harris, in the 9th District of Pike county, be, and is hereby removed to and established at the town of Williamsville, in the 9th District of said county ;" which was agreed to.

Mr. McCurdy offered the following amendment, which was agreed to, to wit :

*“And be it further enacted by the authority aforesaid, That an additional precinct be established at the town of Tunnel Hill, in the county of Whitfield.”*

On motion of Mr. Dial, Appling county was stricken out.

The report of the committee, as amended was agreed to; the bill was read the third time and passed.

The House went into Committee of the Whole, Mr. Harrison in the chair, on the bill to be entitled an act for the relief of the securities of Richard Bassett, Tax Collector of Bibb county, for the year 1849 : and after some time spent therein the committee rose and reported the same back to the House without amendment : and on motion of Mr. Carlton, made the special order of the 31st of February, next.

The House took up the report of the committee on the bill to be entitled an act to amend the 2d Section of an act to authorize the construction of the Magnetic Telegraph, and provided for the protection of the same, approved December 29th, 1847.

The report was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to amend an act entitled an act to give painters who may paint houses in the counties of Baldwin and Bibb, a lien upon such houses and premises of equal dignity with the lien of master masons and master carpenters, given by the several laws now of force in said counties, approved January 17th, 1852, so as to make the same general.

The report was disagreed to. The bill was read the third time and lost.

The House took up the report of the committee on the bill to be entitled an act to alter, and amend so much of the 11th Section of the 3d Article, of the Constitution of the State of Georgia, as is embraced in the following paragraph to wit ; But no person shall be twice elected Sheriff within any term of four years.

On motion of Mr. Shewmake, it was laid upon the table for the balance of the session.

The House took up the report of the Committee on the bill to be entitled an act to incorporate the Baptist Church, in the town of Eljay, in the county of Gilmer, Town Creek Church, Talking Rock Church, Ebenezer, Macedonija, Mount-town Town, Pleasant Hill, New Hope, Zion Hill, Sugar Creek Lebanon, Union, Mount Hope Bethel, Mount Zion and Cherry Log, in the county of Gilmer, and appoint Trustees for the same.

The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to alter and amend an act entitled

an act to alter the law in relation to interest on money approved December 17th, 1845.

On motion of Mr. Shewmake the bill was laid on the table for the balance of the session.

The House took up the report of the committee on the bill to be entitled an act to incorporate the Macon Manufacturing Company.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act amendatory of an act to authorize the Governor to appoint fit and proper persons to sell and dispose of the undrawn lots in the land lotteries, heretofore had in this State, and to limit the time for fraction purchasers to pay for and to take out grants for fractions and for other purposes.

The report was agreed to. The bill was read the third time and passed.

The House took up the engrossed bill to be entitled an act to authorize John B. Chastain of the county of Union, to plead and practice law.

The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to alter and amend the 8th Section of an act entitled an act to carry into effect the amended Constitution of this State, so as to change the time of holding the Courts of Ordinary from the 1st, to the 2d Monday in each and every month, so far as the county of Cherokee is concerned.

The report was agreed to. The bill was read the third time and passed.

Mr. Stapleton from the Committee on Enrolment reported as duly enrolled the following bills, to wit :

A bill to be entitled an act to compensate the Petit Jurors, of the county of Stewart. Also,

A bill to be entitled an act for the relief of William P. Allen and Elizabeth D. Kooneman, of the county of Burke. Also,

A bill to be entitled an act to incorporate Walker's Academy, in the county of Jasper. Also,

A bill to be entitled an act to remove an election precinct now at Moses Wright's house, and known as State's Rights, in 230th District, Georgia Militia, in the county of Oglethorpe, to Woodstock, in said district, and for other purposes therein named. Also,

A bill to be entitled an act to incorporate Southworth Male and Female Academy, near the village of Corinth, in Heard county, and to appoint Trustees for the same. Also,

A bill to be entitled an act to change the names of certain persons therein named, in the county of Emanuel. Also,

A bill to be entitled an act to change the time of holding the Inferior Court, in the county of Fayette. Also,

A bill to be entitled an act to repeal an act passed 1851 and 1852, establishing an election precinct at Thomas H. Burn's Mills, in the 34th District, Georgia Militia, in Scriven County. Also,

A bill to be entitled an act to compensate the Grand and Petit Jurors, of Crawford county, and to provide for the payment of the same. Also,

A bill to be entitled an act to alter and change the names of certain persons, and for other purposes therein mentioned. Also,

A Bill to be entitled an act to amend an act entitled an act to change the names and legitimize the persons therein named, and for other purposes approved January 21st, 1852, and for other purposes.

The House took up the report of the committee on the bill to be entitled an act for the relief of Charles W. Mabry of the county of Heard.

The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to give to Justices of the Inferior Courts in each county of this State, the exclusive right to grant license to retail spirituous liquors in their respective counties and to fix the fees for the same,

Mr. Cleveland of Habersham called for the previous question; the call was sustained.

The report was agreed to. And upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded, at the call of Mr. Sweat, and are: yeas 31, nays 43.

Those who voted in the affirmative are, Messrs.

Alread,	Hood,	Richardson
Armstrong,	Jones.	Riley,
Boatright,	Martin,	Shewmake,
Cameron,	Maxwell,	W R. Smith,
Clements,	McCurdy	W. Smith,
Cody,	McDonald,	Stapleton,
Fannin.	McGregor	Stephens,
Green,	McWhorter,	Strother,
Gross,	Mobley,	Turner,
W P. Harden,	Paris,	Walker.
Harris,	Phillips,	West
Harrison	Powell	Wilson,
Harrall,	Powers,	Woodward,
Hawkins	Redding,	

Those who voted in the negative are Messrs.

Adams,	Hardison,	Rumph,
Bostwick,	Hamilton,	Staten,
Bridges,	Henderson,	J Stewart,
Calloway	Hudson,	Stokes,
Carlton,	Keith,	Strickland,
Benj. Cleveland,	Leverett,	Sweat,
Crittenden,	Manor,	J. Taylor,
Denham,	Mays,	Trice,
Dodds	McMillan	J. H. Walton,
Durden	Moody.	A. J. Williams,
Fields,	Nichols	Williamson,
Gartrell,	Pickett,	Williford,
J. Hardin,	G. R. Reid	Young,
Haynie,	M. Reid,	
Hatton,	N. Robinson	

So the bill was lost.

The House took up the report of the committee on the bill to be entitled an act for the relief of Samuel M. Street.

On motion of Mr. Turner, the bill was postponed indefinitely.

The House took up the report of the committee on the bill to be entitled an act to amend an act to alter and change the time of holding the Superior Courts in the county of Marion, &c.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to authorize the distribution of estates in certain cases therein mentioned.

The report of the committee was agreed to. The bill was read the third time and passed.

Mr. Gartrell from the Committee on Enrolment reported, as duly enrolled,

A bill to be entitled an act to authorize and require the Ordinaries of the counties of Macon and Sumter, to pay to William M. Threlkeld of the county of Sumter, certain sums of money for teaching poor children of said counties and for other purposes therein mentioned.

The House took up the report of the committee, on the bill to be entitled an act to authorize and require the Poor School Commissioners, of the county of Warren, to pay to George W Ray, out of the Poor School fund of said county the amount paid by him as Justice of the Peace, out of his individual funds for teaching poor children in said county, in the year 1850.

The report of the committee was agreed to. The bill was read the third time and passed.

The House went into Committee of the Whole, Mr. Harrison in the chair, on the bill to be entitled an act to appropriate money to improve the navigation of the Big Satilla and Alapaha Rivers, and to appoint commissioners for the same.

On motion of Mr. Walker, it was postponed indefinitely.

The House took up the report of the committee on the bill to be entitled an act to alter and amend an act entitled an act to carry into effect the 4th and 5th Sections of the 3rd Article of the Constitution of the State of Georgia, approved December 21st, 1819.

On motion of Mr. Shewmake, the bill was postponed indefinitely.

The House took up the report of the committee on the bill to be entitled an act to amend an act entitled an act to incorporate the town of Washington in the county of Wilkes, assented to 1821, and to vest the Inferior Court of said county with discretionary power in certain cases.

The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to bind out certain free negroes of the county of Spaulding.

The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to compel the Justices of the Inferior Court of the county of Liberty, to grant license to retail spirituous liquors.

On motion of Mr. Reid of Irwin, the bill was postponed indefinitely.

The House took up the report of the committee on the bill to be entitled an act to carry into effect an act entitled an act respecting bastardy, &c., &c.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act for the relief of Ann Smithwick.

On motion of Mr. Harrison, the bill was postponed indefinitely.

The House took up the report of the committee on the bill to be entitled an act to limit the number and prescribe the manner of electing assistant Clerks of the House of Representatives, and also the number of assistant Clerks under the Secretary of the Senate, and for other purposes mentioned.

On motion, the bill was postponed indefinitely.

The House took up the report of the committee on the bill to be entitled an act to authorize the tax collector of Colum-

bia county, to pay the State tax of said county, for the year 1854, to the Inferior Court of said county, for the purpose of building a new Court House, in said county.

On motion of Mr. Harrison, the bill was postponed indefinitely.

The House took up the report of the committee on the bill to be entitled an act to protect the citizens of Dade county from the injurious consequences of cattle speculators driving stock through said county and spreading distempers, to the destruction of the stock of the people living therein.

The report was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to authorize the Justices of the Inferior Court of the county of Gilmer to lay off said county into school districts.

Mr. Alread offered the following amendment, which was agreed to, to-wit:

“To extend the provisions of the act to the county of Pickens.”

The report was agreed to, as amended; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act more effectually to prevent trading with slaves and furnishing them with intoxicating liquors.

The report was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to authorize Thomas D. Lewis, a minor, to transact business as though he was of lawful age.

The report was agreed to; the bill was read the third time and passed.

Mr. Gartrell from the committee on enrolment, reported as duly enrolled, a bill to be entitled an act to incorporate the Oregon Steamboat Company of Georgia.

The House took up the report of the committee on the bill to be entitled an act for the relief of Donald McDonald, teacher of poor children of the county of Monroe, for the years 1852 and 1853, and also for the relief of Amos Lasse-ter, teacher of poor children of the county of Houston, for the year 1851. The report was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to change the name of Nancy Hightower. The report was agreed to; the bill was read the third time and passed.

On motion of Mr. Walker, the House adjourned to half-past seven o'clock this evening.

## HALF-PAST SEVEN O'CLOCK, P. M.

The House met pursuant to adjournment.

The House took up the report of the committee on the bill to be entitled an act for the relief of the clerks of the Superior and Inferior Courts in certain cases. and to regulate the service by Sheriffs of writs and processes at common law.

The report was disagreed to, and the bill was lost.

The House took up the report of the committee on the bill to be entitled an act to prevent the circulation in this State of Bank notes of a less denomination than five dollars, issued in any other State, and for other purposes.

Mr. Young moved to lay the bill upon the table for the balance of the session.

Upon which motion the yeas and nays were required to be recorded, upon the call of Mr. McDougald, and are; yeas 42, nays 27

Those who voted in the affirmative are, Messrs

Adams,	Hardison	Radford
Alread,	Headen,	Redding,
Bridges	Henderson,	G. R. Reid,
Calloway	Holland	M. Reid,
Benj. Cleveland.	Hudson,	Rumph,
Cody,	Leverett,	W R. Smith,
Crawford	Linn,	Staten
Denham,	Mangham,	Strickland,
Dial.	Masters	Strother,
Fish,	McDonald	Sweat,
Gartrell,	McMillan,	D. W. Taylor,
W P Harden	Moody,	J. H. Walton,
James Hardin	Paris,	Whitworth,
Haynie	Phillips	Young,

Those who voted in the negative are Messrs:

Armstrong,	Hamilton,	L. S. Stewart,
Bostwick.	Hood	J. Stewart,
Carlton,	Mays,	Turner,
W C. Cleveland,	McDougald,	W. A. Walton,
Clements	Nichols,	Walker
Durden,	Pottle,	West,
Fannin,	N. Robinson,	A J Williams
Harrison,	Shewmake,	Williamson
Hatton,	Stephens.	Williford,

So the motion was agreed to.



The House took up the report of the bill to be entitled an act to alter and amend so much of the Judiciary of this State as relates to the jurisdiction of Justices of the Peace of this State and to extend the stay of executions.

On motion of Mr. Carlton the bill was laid upon the table for the balance of the session.

The House took up the report of the committee on the bill to be entitled an act to alter and amend the second section of an act to lay out a new county from the counties of Talbot, Macon and Marion, and to attach the same to a Senatorial District, approved January 15th, 1852.

The report of the committee was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to amend an act entitled an act to compensate the Grand and Petit Jurors in certain counties therein named, and to provide for the payment of the same, approved January 14th, 1852, so far as relates to Warren county.

The report was agreed to. The bill was read the third time and passed.

The House took the report of the committee on the bill to be entitled an act to extend the provisions of an act entitled an act to amend the several acts now of force regulating the fees of magistrates and constables in the State of Georgia, so far as relates to the counties of Bibb, Richmond, Monroe and Lee, and to provide for the mode of collecting the same, approved January 22d, 1852, so far as to include in its provisions the counties of Warren, Troup and Hancock.

The report was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to amend the insolvent laws of this State.

The report of the committee was agreed to; the bill was read the third time and lost.

The House took up the report on the bill to be entitled an act to define the liability of rent to levy and sale, and to protect the rights of owners of land in this State.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill for the encouragement and promotion of Agriculture, and to allow persons owning lands on creeks and rivers to embank the same.

The report was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to add lots of land number one hundred and fifty two (152) and one hundred and twenty two (122) in

the eleventh district of originally Muscogee, now Marion county to the county of Talbot.

The report of the committee was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to authorize the Justices of the Inferior Court of Lumpkin county, or a majority of them, to levy an extra tax for the purpose of building a jail, &c.

The report was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act for the relief of Jane Levy wife of Lewis Levy of Richmond county.

Mr. Turner offered the following amendment which was agreed to, to wit: .

*"And be it further enacted by the authority aforesaid, That Missouri McGrady of Whitfield county, and wife of Charles McGrady be, and she is hereby entitled to all the benefits and provisions of this act, and all her future acquisitions shall be in her own name and under her sole control, in as full a manner as if she never was married to said Charles McGrady.*

The report of the committee as amended was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to allow billiard tables to be used in private houses in this State and the same not to be subject to any tax other than household furniture.

Mr. Alread moved to lay the bill on the table for the balance of the session; which motion was agreed to.

The House took up the report of the committee on the bill to be entitled an act to reduce the Sheriff's bond in the counties of Burke and Emanuel.

The report was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to regulate the collection of Jurors' fees in the Superior and Inferior Courts of the county of Cobb.

The report was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to compensate the Grand and Petit Jurors of the county of Clarke.

The report was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act declaratory of an act entitled an act to authorize parties to compel discoveries at common law, ap-

proved December 17th, 1847, and to settle the practice under the same.

Mr. Williams, of Sumter, called the previous question, which was sustained, and the previous question was put.

The report of the committee was agreed to.

And upon the question "Shall the bill now pass?" the yeas and nays were required to be recorded, at the call of Mr. Cross, and are: yeas 33, nays 43.

Those who voted in the affirmative are Messrs.

Benj. Cleveland	Irwin,	Redding,
V. C. Cleveland,	Keith,	Richardson
Clements,	Lamar,	N. Robinson,
Crawford,	Linn,	W. R. Smith,
Crittenden,	Martin	Strickland,
Cields,	McDonald,	D. W. Taylor
Cattrell.	McDougald,	Turner,
Caynie	McMillan,	Walker,
Carrison,	Nichols,	West
Cenderson	Phillips	Whitworth,
Cood,	Powers,	Young

Those who voted in the negative are, Messrs.

Adams	J. Harden,	Radford,
Adread	Hatton,	G. R. Reid,
Armstrong,	Hardison	M. Reid
Bostwick,	Hamilton,	Rumph,
Bridges,	Headen	Shewmake
Carlton,	Holland,	Staten,
Cody,	Hudson	Stephens,
Cenham,	Mangham	Strother,
Cubignon	Masters	Sweat,
Curden	Maxwell,	J H Walton,
Cial,	Mays,	A. J. Williams,
Carnin,	Mc Whorter	Williamson,
Cish,	Moody,	Williford,
Cross	Paris,	
V P. Harden,	Pottle	

So the bill was lost.

The House took up the report of the committee on the bill to be entitled an act to revive, re-enact and continue in force an act entitled an act to authorize and require the sheriffs, Coroners, Clerks of the Superior and Inferior courts and the courts of ordinary in the several counties in this

State, to advertise in certain newspapers, approved 22, February, 1850.

Mr. McCurdy offered the following amendment, which was agreed to, to wit

*"Provided,* The said Sheriffs, clerks and other officers herein mentioned, shall not be allowed to charge defendants any more than they pay for their advertisements

Mr. Mobley moved to postpone the bill and amendments indefinitely.

Mr. Cody called for the previous question. which call was sustained, and the main question was ordered to be put which was the motion to postpone.

Upon which motion the yeas and nays were required to be recorded, upon the call of Mr. McDougald, and are: yeas 41, nays 33.

Those who voted in the affirmative, are Messrs.

Adams	Hood	Rumph
Andrews,	Hudson,	Shewmake,
Bostwick,	Irwin,	W. R. Smith,
Carlton.	Linn,	Staten,
Clements	Mangham,	Stephens
Cody,	Martin	Strother,
Denham,	Maxwell	Sweat,
Fannin.	McWhorter	Trice.
Fish,	Mobley,	J. H. Walton,
Gross,	Nichols,	Walker
W P Harden,	Phillips,	Whitworth,
Harrison,	Redding	A. J. Williams,
Hays,	M. Reid,	Williford
Hamilton,	Richardson,	

Those who voted in the negative are, Messrs.

Alread	Harrall,	McMillan,
Bridges,	Hatton.	Paris,
Benj. Cleveland,	Headen,	Pickett,
W C Cleveland	Henderson,	Poole,
Crawford,	Holland,	J. Stewart,
Crittenden,	Keith,	Strickland,
Dial,	Masters,	D W Taylor
Fields,	Mays,	Turner
Gartrell,	McCurdy,	West
James Hardin,	McDonald,	Williamson,
Haynie	McDougald,	Young,

So the motion prevailed.

On motion the House adjourned until half past 9 o'clock Monday morning.

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## MONDAY, FEBRUARY 6th, 1854.

[The House met pursuant to adjournment.

The following message was received from the Senate, by Mr. Moore, their secretary :

*Mr. Speaker*—The Senate has passed the following bills, the House of Representatives, to wit :

A bill to incorporate an academy in the 7th district of Randolph county, and to appoint trustees for the same; also, to incorporate an academy in Monroe county. Also,

A bill to make penal the using of any poisonous substance any of the water courses in the counties of Thomas and Worth, for the purpose of poisoning and catching fish.—so,

A bill to incorporate the Baldwin Blues Loan and Building Association, and the Macon Building and Loan Association. Also,

A bill to confer certain privileges on Francis M. Wilson, Thomas county, and to make lawful his acts, and to give him authority to transact business as though he was twenty years old. Also,

A bill to incorporate the Dade County Iron Manufacturing and Coal Company. Also,

A bill to reduce the official bonds of Sheriffs, hereafter be elected in the county of Twiggs, from the sum of twenty thousand dollars to the sum of ten thousand dollars. so,

A bill to authorize the Ordinary of Tattnall county to keep his office at his own residence. Also,

A bill to authorize Warren Freeman of the county of Bibb practice medicine on the Homœopathic system, and to charge and collect compensation for his services. Also,

A bill to compensate Grand and Petit Jurors of the county of Habersham. Also,

A bill to confer certain privileges on Joseph Kelley, of the county of Thomas, and render him capable of transacting business for himself. Also,

A bill to allow certain persons therein named to administer oaths. Also,

A bill to prevent the felling of timber in or otherwise obstructing Board Town Creek in the county of Gilmer, and punish offenders for the same. Also,

A bill to repeal an act to be entitled an act to provide for a compensation of Grand and Petit Jurors of the Superior

and Inferior Courts of the county of Elbert, and to repeal former laws, approved December 14th 1849, and to revive an act entitled an act to compensate the Grand and Petit Jurors of the county of Elbert, and to provide for the payment of the same, and to repeal all previous acts upon the subject so far as the county of Elbert is concerned, approved December 8th, 1841. Also,

A bill to incorporate the Grand Lodge of the Knights of Jericho of the State of Georgia, and for other purposes. Also,

A bill for the relief of Jacob Martin of Fayette county.—Also,

A bill to compensate the Grand and Petit Jurors of Appling county. Also,

A bill to reduce the Sheriff's bond of the county of Decatur. Also,

A bill to repeal so much of the 3d section of an act entitled an act to provide for the education of the poor, approved January 22d, 1852, as prevents the provisions of said act from being extended to the county of Lumpkin, and that the provisions of said act be extended to said county of Lumpkin. Also,

A bill to amend an act entitled an act to improve the navigation of the Great Ogeechee River, so far as the appointment of new commissioners is concerned. Also,

A bill to remove an election precinct in the county of DeKalb. Also,

A bill to change the time of holding the Fall Term of the Superior Court of Bulloch county. Also,

A bill to repeal an act approved 26th December, 1861, compelling Justices of the Peace of the 1030th District, G. M., of Wayne county to hold their Courts at Sweat & Jordan's Store, and for other purposes. Also,

A bill to compel Clerks of the Superior and Inferior courts of Appling county to keep their offices at Holmesville the county site.

The Senate has also passed the following bills of the House of Representatives, with amendments, in which they ask the concurrence of the House, to wit:

A bill to alter and amend the 48th section of an act to amend an act entitled an act to revive and amend the Judiciary Laws of this State, approved 16th February, 1799, so far as to dispense with an order of Court before bringing suit upon a Sheriff's bond, and to require the clerks of the Superior courts to give applicants desiring to bring suit on such bonds certified copies of the same, and to make them legal evidence on the trial of said suits. Also,

A bill to incorporate the Methodist Episcopal Church, at Sylvania, and to appoint trustees for the same, and other churches therein named. Also,

A bill to incorporate the town of Dallas, in Paulding county; the town of Butler in Taylor county, and the town of Montezuma in Macon county. Also,

A bill to incorporate the Brunswick Improvement Company. Also,

A bill for the relief of Levy Burty, an infirm and indigent person. Also,

A bill to amend the 3d section of the 3d article of the Constitution. Also,

A bill for the relief of Hannah Levy. Also,

A bill to incorporate Trenton Lodge, No. 179, of Free and accepted Masons. Also,

A bill for the relief of Matthew Grace and Thos. Thompson of Pulaski county.

On motion leave of absence was granted to Messrs. Lamar, Powers, Fannin and Anderson, on account of the indisposition of themselves and families.

Mr. McCurdy moved to reconsider so much of the Journal of Saturday, as relates to the rejection of the bill to be entitled an act to compensate Peter Mason, of the county of Whitfield, for grading done on the Western & Atlantic Rail Road, to point out the mode of payment and for other purposes therein mentioned.

Upon which motion the yeas and nays were required to be recorded—upon the call of Mr. McCurdy—and are : yeas 40, nays 50.

Those who voted in the affirmative are, Messrs.

Bridges,	Harrall	Stapleton,
Brown	Hardeman,	L. S. Stewart,
Calloway,	Hawkins,	J Stewart
Clark,	Leverett,	Stokes,
W. C. Cleveland,	Masters	Thornton
Crawford,	Mays	Turner,
Dawson	McComb,	J. H. Walton,
Denham,	McCurdy,	West
Dodds	McDonald,	H. L. Williams,
Eberhart,	McGregor,	A. J. Williams
Green	Paris,	Wilson,
Gross,	Phillips,	Young,
Haynie	Poole	
Harrison,	Rowell	

Those who voted in the negative are, Messrs.

Adams,	Clements	Fields,
Alread,	Cody	Gartrell,
Carlton,	Crittenden	W. P. Harden,
Benj. Cleveland,	Dial,	James Hardin,

Hatton,	Manor,	N. Robinson,
Hays	McLean	Shewmake
Hardison,	McMillan,	W. R. Smith,
Headen,	McMullin,	Staten
Henderson	McWhorter,	Stephens,
Hood	Mobley,	Strother
Hudson.	Moody,	Sweat,
Irwin,	Nichols,	Trice,
Jones,	Pickett,	Walker,
Linn,	Pottle,	Whitworth,
Mangham	G. R. Reid,	Williamson,
Martin	M. Reid,	Williford
Maxwell,	Riley,	

Sothe motion was lost.

Mr. McDougald moved to reconsider so much of the Journals of Saturday, as relates to the rejection of the bill to be entitled an act to reduce the taxes imposed upon persons and property by the law of 1852 and 1853, one-third, and to exempt each tax payer's indebtedness for any property to which he has no legal title; which motion was agreed to.

Mr. Walker moved to reconsider so much of the Journal of Saturday as relates to giving to the Justices of the Inferior courts the right to regulate license for the retail of spirituous liquors.

Upon which motion, the yeas and nays were required to be recorded—at the call of Mr. Stapleton—and are: yeas 39, nays 59.

Those who voted in the affirmative are, Messrs.

Boatright	Hood	Radford,
Carlton,	Irwin,	Riley,
Champion,	Jones	Shewmake,
Clark,	Martin	W. R. Smith,
Cody,	Maxwell.	Stapleton
Durden,	McCurdy,	Stephens,
Eberhart,	McGregor,	Strother
Fannin,	McWhorter	W. A. Walton,
Gross	Mobley,	Walker,
W. P. Harden,	Moody.	West,
Harrison	Paris	Williamson,
Harrall,	Phillips,	Wilson,
Hardeman	Pottle	Woodward,

Those who voted in the negative are, Messrs.

Adams	Bridges	Benj. Cleveland,
Alread,	Brown	W. C. Cleveland,
Bostwick,	Calloway,	Crawford,



Dawson	Hudson,	M Reid,
Denham,	Keith,	N Robinson
Dodds	Leverett	Rowell
Dial	Linn	Staten,
Fields,	Mangham,	L S Stewart
Fish,	Manor,	J. Stewart,
Gartrell	Mays,	Stokes,
James Hardin,	McComb	Sweat
Haynie	McDonald,	D. W. Taylor
Harris,	McDougald,	Trice,
Hatton,	McLean,	J. H. Walton,
Hays,	McMillan,	Whitworth.
Hawkins	McMullin,	A. J. Williams
Hardison,	Nichols,	H. L. Williams,
Hamilton,	Pickett,	Williford,
Headen,	Poole	Young,
Henderson,	G. R. Reid,	

So the motion was lost.

Mr. Fannin moved to reconsider so much of the Journal of Saturday, as relates to the action on the bill to be entitled an act to change the militia system of this State.

Upon which motion, the yeas and nays were required to be recorded, upon the call of Mr. Gartrell, and are : yeas 51, nays 52.

Those who voted in the affirmative are Messrs.

Adams,	Hood,	Richardson.
Alread,	Irwin,	Rowell
Bostwick,	Jones,	Stapleton
Boatright,	Leverett,	Staten,
Bridges	Mangham	Stephens,
Brown,	Masters,	L S Stewart
Carlton	Maxwell,	Stokes,
Clark,	McComb	Strother.
Denham,	McCurdy,	J. Taylor,
Eberhart,	McMullin	Thornton,
Fannin	McWhorter,	Trice
W P Harden	Mobley,	Turner,
Harrison	Paris,	W. A. Walton,
Harrall	Phillips,	Walker,
Hardeman,	Pottle,	H. L. Williams,
Hawkins,	Powell,	Wilson,
Hamilton,	Radford	Woodward,

Those who voted in the negative are Messrs.

Benj. Cleveland,	Clements	Crittenden
W C Cleveland	Crawford,	Dawson,

Dodds	Martin,	Rumph,
Dial,	Manor,	W R. Smith
Fields	Mays,	Wm. Smith,
Fish,	McDonald,	J Stewart
Gartrell,	McDougald,	Strickland,
Gross,	McGregor,	Sweat,
James Hardin,	McLean,	D W Taylor
Haynie	McMillan	J H Walton
Hatton,	Moody	West.
Hays,	Nichols,	Whitworth,
Hardison,	Pickett,	A. J. Williams,
Headen,	Poole,	Williamson,
Henderson,	G R Reid	Williford,
Hudson,	M. Reid,	Young,
Keith	Riley	
Linn	N. Robinson,	

So the motion was lost.

Mr. Irwin moved to reconsider so much of the Journal of Saturday, as relates to the bill to be entitled an act to amend the insolvent laws of this State ; which motion was agreed to.

Mr. McDougald moved to reconsider so much of the Journal of Saturday, as relates to the rejection of the bill to be entitled an act to revive, re-enact, and continue in force, an act entitled an act to authorize and require the Sheriffs, Coroners, Clerks of Superior, Inferior and Ordinary Courts in the several counties in this State, to advertise, in certain newspapers, approved February 22d, 1850.

On which motion, the yeas and nays were required to be recorded, at the call of Mr. McDougald, and are : yeas 39, nays 54.

Those who voted in the affirmative are Messrs.

Armstrong,	Hardeman,	G. R. Reid,
Bostwick	Hawkins	Riley,
Boatright	Headen,	N. Robinson,
Brown,	Mays,	Rowell
Calloway.	McComb,	Rumph,
Benj. Cleveland,	McCurdy,	J. Stewart
Crittenden	McDonald,	Stokes,
Dial,	McDougald,	Strickland,
Eberhart	McGregor,	Thornton,
Fields,	McLean,	Turner
Gartrell,	McMillan,	West
Haynie,	Pickett,	H. L. Williams,
Harrison,	Poole,	A J Williams,

Those who voted in the negative are Messrs.

Adams,	Henderson,	Shewmake
Alread	Hood	W. R. Smith.
Carlton	Hudson,	W. Smith
Clark,	Irwin,	Staten.
W C Cleveland	Keith,	L. S. Stewart,
Clements	Linn,	Strother,
Cody,	Mangham,	Sweat,
Denham	Martin,	J. Taylor,
Dodds	Masters	Trice,
Dubignon	Manor,	J. H. Walton,
Fannin,	McMullin,	W. A. Walton,
Fish	McWhorter.	Walker
Green	Moody,	Whitworth,
Gross,	Nichols,	Williamson,
Harris,	Paris,	Wilson
Harrall,	Phillips,	Williford
Hatton	Pottle,	Woodward,
Hardison,	M. Reid,	Young

So the motion was lost.

Mr. Walton, moved to reconsider so much of the Journal of Saturday, as relates to the bill to be entitled an act to prevent the circulation in this State, of bank notes of less denomination than five dollars, issued in any other State.

Upon which motion, the yeas and nays were required to be recorded, at the call of Mr. Walker, and are : yeas 44, nays 56.

Those who voted in the affirmative are Messrs.

Bostwick	Keith,	W. Smith,
Boatright,	Maxwell	Stapleton,
Calloway	Mays	L. S. Stewart
Carlton,	McCurdy,	Stokes,
Clark,	McDonald,	Strother,
Dawson	McDougald.	Turner,
Dubignon,	McMullin,	W A. Walton,
Fannin,	McWhorter,	Walker,
Gross,	Moody	West,
W. P. Harden,	Nichols.	H. L. Williams,
Harris,	Phillips,	A J Williams
Harrison,	Pottle,	Williamson.
Harrall	Powell.	Wilson,
Hood	Richardson,	Williford,
Irwin	Shewmake,	

Those who voted in the negative are Messrs.

Adams	Haynie	Paris
Alread	Hatton,	Pickett,
Bridges	Hardeman,	G. R. Reid,
Benj. Cleveland,	Hays,	M. Reid,
W. C. Cleveland,	Hawkins,	Riley,
Clements	Hardison	Rowell,
Cody,	Hamilton	Rumph,
Crawford	Headen,	W. Smith,
Crittenden	Henderson,	Staten,
Denham,	Hudson,	J. Stewart,
Dodds	Linn,	Strickland,
Durden,	Mangham	Sweat
Dial,	Martin,	D. W. Taylor,
Eberhart,	Masters	Thornton,
Fields,	McComb,	J. H. Walton,
Fish	McGregor,	Whitworth
Gartrell,	McLean,	Woodward,
Green,	McMillan,	Young,
J. Hardin,	Mobley,	

So the motion was lost.

Mr. McDougald moved to reconsider so much of the Journals of Saturday, as relates to the bill to be entitled an act, declaratory of an act entitled an act to authorize parties to compel discoveries at common law, approved December 17th, 1847, and to settle the practice under the same; which motion was agreed to.

Mr. Hardeman moved to reconsider so much of the Journals of Saturday, as relates to the rejection of the bill to be entitled an act to make the lien laws now enjoyed by painters, in the counties of Baldwin and Bibb, approved January 17th, 1852, general over this State; which motion was lost.

On motion of Mr. Crawford, the memorial of E. D. Chisolm, was taken up and read.

Mr. Crawford moved the appointment of a committee of one from each Judicial District, to investigate the charge the memorial sets out.

Mr. Pickett moved to amend by "granting power to send for persons and papers;" which motion was agreed to.

*To the Speaker and Members of the House of Representatives.*

GENTLEMEN—I enclose you a copy of the General Presentments of the Grand Jury of Gilmer county, made in my absence from the court, containing a very grave charge against me as the Solicitor General of the Blue Ridge Cir-

suit. I am charged by the Grand Jury, with having sold the public justice to obtain votes for my friend, and that this has been made to appear by highly creditable testimony, of not only one, but many persons. The charge is untrue and unfounded. Not a witness was examined by the Grand Jury. All the evidence, that was before the Grand Jury, were three *ex parte* affidavits, taken and sent before that body.— They were not permitted to examine the witnesses, and hear from them the truth. Justice to the people and myself, demands that you, the tribunal fixed by the Constitution of the State, should investigate the charge made against an officer of the State, and if true, order such proceedings in the Senate, as the Constitution requires, and if false, publish the facts to the people, that they may see my innocence, and vindicate the character of one of the State's prosecuting officers. I therefore request that a committee be appointed by your honorable body, to examine into the charge which the Grand Jury have made against me. All of which is most respectfully submitted.

E. D. CHISOLM.

Mr. Phillips moved to take up the House bills upon which the Senate has acted, and to which amendments have been made; which motion was agreed to.

The House took up the amendment of the Senate, to the bill to be entitled an act to alter and define the county line between the counties of Talbot and Taylor, and straighten the same; and concurred in the same.

The House took up the Senate's amendment to the bill entitled an act to change the names of certain persons therein mentioned, and for other purposes; and concurred in the same.

The House took up the Senate's amendment to the bill to be entitled an act, to establish a fire company in Macon; and concurred in the same.

The House took up the amendment of the Senate to the bill to be entitled an act to compensate the Grand and Petit Jurors of the county of Wilkinson, and to provide for the payment of the same, and concurred in the same.

The House took up the amendment of the Senate, to the bill to be entitled an act to incorporate the Phi Delta Masonic Academy, in Franklin county; and concurred in the same.

The House took up the amendment of the Senate to the bill to be entitled an act to change the line between the counties of Walker and Gordon; and concurred in the same.

The House took up the amendment of the Senate, to the bill to be entitled an act to incorporate the town of Holmesville, in the county of Appling, and to render the county site of said county permanent; and concurred in the same.

The House took up the amendment of the Senate, to the

bill to be entitled an act to incorporate the Brunswick Improvement Company.

Mr. Hardeman moved to disagree to a portion of the Senate's amendment ; which was agreed to—and the balance of the amendment was concurred in.

The House took up the amendment of the Senate, to the bill to be entitled an act to alter, change and amend the 46th Section of an act to amend an act entitled an act to revise and amend the Judiciary System of this State, approved February 16th, 1799, so far as to dispense with an order of court before bring suit on Sheriffs' bonds, and to require the Clerks of the Superior Courts, to furnish a certified copy of said bonds, on the application of any person desiring to bring suit thereon, and to make such certified copy legal evidence in said suit, on the trial thereof.

On motion of Mr. Phillips, the amendment of the Senate, to the bill to be entitled an act for the relief of Levy Barty, an infirm and indigent person, was amended.

Mr. Hardeman moved to disagree to the amendment, as amended by Mr. Phillips ; which motion was agreed to.

Mr. McDougald, from the Committee on the Judiciary, to whom was referred certain memorials and counter memorials, from the citizens of Savannah, made the following report :

That the Legislature has no control over the matter.

ALEX. McDOUGALD, Chairman.

The committee appointed by the Chair on the memorial of E. D. Chisolm, are Crawford, Harrison, Walton of Richmond, Irwin, Headen, Calloway, Staten, Hardeman, Lamar, McDougald, Gartrell, Dodds and Robinson of Randolph.

The House took up the amendment of the Senate, on the bill to be entitled an act for the relief of Hannah Levy ; and concurred in the same.

The House took up the report on the amendment of the Senate, on the bill to be entitled an act to incorporate Trenton Lodge, No. 179 of Free and Accepted Masons, at Trenton, Dade county ; and concurred in the same.

The House took up the Senate's amendment to the bill to be entitled an act to incorporate the Methodist Episcopal Church, at Sylvania, in Scriven county, and appoint Trustees for the same, and other churches therein named ; and concurred in the same.

The following message was received from the Senate, by Mr. Moore, their Secretary :

*Mr. Speaker*—The Senate has passed the following bills, to wit :

A bill to incorporate Barnesville, in Pike county—to point out the mode of the election of Commissioners ; and also to extend the corporate limits of the city of Atlanta. Also,

A bill to amend an act to incorporate the Savannah Mutual Insurance Company, passed the 30th December, 1847, and an act amendatory thereof, passed February 23d, 1850. Also,

A bill to apportion the representation among the several counties of this state, according to the 7th Section of the 1st Article of the Constitution.

The House took up the amendment of the Senate to the bill to be entitled an act for the relief of Mathew Grace, and Thomas Thomson, of the county of Pulaski; and concurred in the same.

The House took up the amendment of the Senate to the bill to be entitled an act to incorporate the town of Dallas, in the county of Taylor, and the town of Montezeuma, in the county of Macon; and concurred in the same.

The House took up the Senate's amendment on the bill to be entitled an act to alter and amend the 3d Section of the 3d article of the Constitution, by striking out the words "appointed by the Legislature," and inserting in lieu thereof, the words "elected by persons entitled to vote for members of the Legislature, at such time and such manner as the Legislature may by law direct."

On which motion, the yeas and nays were required to be recorded, and are : yeas 86, nays 0.

Those who voted in the affirmative are Messrs.

Adams,	W P. Harden,	McDougald,
Alread,	Haynie	McGregor,
Armstrong,	Harrison,	McLean,
Bostwick,	Harrall	McMillan
Boatright	Hatton,	McMullin,
Bridges	Hardeman,	McWhorter.
Brown,	Hays,	Moody,
Cameron,	Hawkins,	Nichols
Clark	Hardison	Paris,
Benj. Cleveland,	Hamilton,	Phillips,
W. C. Cleveland,	Headen,	Pickett.
Clements.	Henderson,	Poole,
Cody,	Hood	Pottle,
Crittenden	Hudson,	Powell
Dubignon,	Irwin,	M Reid,
Durden	Jones,	Richardson,
Dial	Leverett,	Riley
Eberhart,	Martin	N. Robinson,
Fannin.	Masters,	Shewmake,
Fields,	Maxwell,	W R. Smith,
Gartrell,	Mays,	Stapleton,
Green	McCurdy,	Stephens,
Gross,	McDonald,	J. Stewart,

Stokes,	Trice,	A J Williams
Strickland,	Turner,	Williamson,
Strother,	J H Walton	Wilson
Sweat.	Walker	Williford,
D. W. Taylor	West,	Young,
Thornton,	Whitworth,	

So the motion prevailed.

On motion of Mr. McDougald, the House adjourned until half past 2 o'clock.



### HALF-PAST TWO O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. Cleveland of Crawford, offered the following resolution :

**WHEREAS :** The Honorable George W. Towns, while Governor of Georgia, employed Joseph Sturges, Esq., as Agent, to prosecute the claim of the State, against the General Government ; and whereas, by said agreement, the said Joseph Sturges was to receive in addition to the per centum agreed upon, five hundred dollars for his expenses during each session of Congress ; and whereas, it will not comport with the interest of the State, that said contract so far as the payment of the five hundred dollars for the present or any future session of Congress, hereafter to meet, be continued—therefore, be it

*Resolved*, by the Senate and House of Representatives of the State of Georgia, in General assembly met, that the contract above mentioned, so far as paying to Joseph Sturges, Esq., Agent for the State of Georgia, five hundred dollars for each session of Congress during his Agency aforesaid, be rescinded from this time henceforward.

Mr. Cleveland of Crawford, moved to take up the foregoing resolution ; which was agreed to.

Mr. Phillips offered the following, as an amendment, which was accepted by Mr. Cleveland, to wit : "That our Senators and Representatives in Congress, be requested to urge upon the Government of the United States at Washington city, the prompt and speedy payment of the balance due the State of Georgia, from said Government."

Mr. Cleveland of Crawford, moved to adopt the resolution, as amended.

Upon which motion, the yeas and nays were required to be recorded, at the call of Mr. McDougald, and are : yeas 45, nays 30.



Those who voted in the affirmative are, Messrs.

Alread,	Hatton,	Paris
Anderson,	Hardison,	Redding,
Armstrong,	Henderson	Richardson,
Bostwick,	Hood	Riley,
Boatright,	Hudson,	W R. Smith,
Bridges,	Linn,	Stephens
Brown,	Mangham,	D. W. Taylor,
Clark	Martin	Trice,
Benj. Cleveland,	Masters	Turner,
W. C. Cleveland,	Maxwell,	J. H. Walton
Crawford,	Manor,	Walker,
Dodds,	McMullin,	Whitworth,
W. P. Harden,	McWhorter	A J Williams
James Hardin,	Mobley,	Williamson,
Haynie	Moody,	Williford,

Those who voted in the negative are, Messrs.

Adams,	McDougald,	L S Stewart,
Crittenden	McGregor,	J. Stewart,
Dial,	McLean,	Strickland,
Eberhart	McMillan	Strother,
Fields,	Phillips,	Sweat
Gartrell	Pickett,	Thornton,
Green,	Pottle	W A Walton
Harrison,	G. R. Reid,	West
Hamilton	M. Reid,	H. L. Williams,
Headen,	Shewmake,	Young,

So the motion was agreed to, and the resolution as amended, was adopted.

Mr. Pottle from the Committee on Banks made the following report on the bill to be entitled an act to incorporate the S. W Bank of Georgia, to be located at Fort Gaines, to wit :

The Committee on Banks report the bill back to the House, and recommend its passage.

E. H. POTTLE, Chairman pro. tem.

Mr. Pottle from the Committee on Banks, made the following report on the bill to be entitled an act to wind up the affairs of the Central Bank, and for other purposes, to wit :

The Committee on Banks have had the foregoing bill under consideration, and recommend its passage, after striking out all of the sections except the one providing for the extension of its charter.

E. H. POTTLE, Chairman, pro. tem.

Mr: Walker moved to suspend the order, to allow him

to introduce the following resolution ; which was read, to wit :

*Resolved*, That no leave of absence will be granted to any member of this House, except by unanimous consent of the House.

On motion of Mr. Walker, the resolution was taken up and agreed to.

On motion of Mr. Fields, Mr. Pickett was added to the committee, on the petition of E. D. Chisholm, Esq.

Mr. Phillips from the Finance Committee, made the following report :

The Finance Committee, to whom was referred the communication of his Excellency the Governor, in relation to the application of the Hon. John H. Howard, and Josephus Echols, the former for reimbursement of expenditures, and the latter for compensation for professional services in defending their title to lands in the Courts of Alabama and Georgia, and in the Supreme Court of the United States, in which the question of boundary was involved, have had the same under consideration but not being able to agree on several points involved, and there being a bill now progressing, by which the question will be before the House, respectfully ask leave to return the papers. and be discharged from their further consideration.

Mr. McDougald from the Judiciary Committee, made the following report, to wit :

The Judiciary Committee to whom was referred a bill to incorporate the Savannah Hotel Company, report it back to the House, and recommend its passage.

ALEX. McDOUGALD, Chairman.

Mr. Hardeman moved to take up the bill and the report was agreed to. The bill was read the third time and passed.

Mr. Masters moved to refer two letters found on the Speaker's desk, to the Special Committee on the memorial of E. D. Chisholm : which was agreed to.

Mr. McDougald from the Committee on the Judiciary, made the following report :

The Judiciary Committee to whom was referred the bill to change the Constitution, as to the election of Judges of the Supreme Court by the people, report against its passage.

Minority report : The undersigned dissents from the majority of the committee, because he believes that the election of Judges by the people, is in accordance with the true theory of our Democratic Republican form of Government, and that the people are better qualified to select Judges, than a bare majority of the General Assembly.

ALEXANDER McDOUGALD.

The reports conflicting, upon taking up the bill, the yeas

and nays were required to be recorded, and are : yeas 78, nays 17.

Those who voted in the affirmative are Messrs.

Adams,	Hardison,	Richardson,
Alread,	Hamilton,	Riley.
Armstrong,	Headen,	N. Robinson,
Bostwick,	Henderson,	Rumph,
Bridges,	Hood	Shewmake,
Brown,	Hudson,	W R Smith,
Calloway,	Keith,	W Smith
Cameron,	Leverett,	Stephens,
Carlton,	Maxwell,	L S Stewart,
Clark,	Manor,	J. Stewart ,
Benj. Cleveland,	McCurdy,	Strickland,
Clements,	McDonald,	Strother
Denham,	McDougald,	Sweat,
Durden,	McLean,	Thornton,
Eberhart,	McMillan,	Trice,
Fields.	McMullin,	Turner
Green	McWhorter	J. H. Walton,
Gross,	Moody,	West.
W. P Harden	Nichols	Whitworth.
J. Hardin,	Paris,	H. L. Williams,
Haynie	Pickett,	A J Williams
Harris,	Poole,	Williamson
Harrall,	Powell,	Wilson,
Hatton,	Redding,	Williford,
Hays,	G. R. Reid	Woodward,
Hawkins,	M. Reid,	Young.

Those who voted in the negative are, Messrs.

W. C. Cleveland,	Hardeman	Phillips
Crawford,	Jones	Pottle,
Dodds,	Linn	J. Taylor
Dial,	Mangham,	D. W. Taylor,
Fannin,	McGregor,	W A Walton
Harrison,	Mobley	

So the bill was passed.

Mr. McDougald from from the Judiciary Committee, made the following report on the bill to amend the 1st Section of the 3d Article of the Constitution, to wit :

The Judiciary Committee to whom was referred the foregoing bill, have instructed me to report against its passage.

ALEX. McDOUGALD, Chairman.

Minority report : The undersigned dissents from the report of the majority of the Committee, because he believes the people are better qualified to elect Judges, than the General Assembly, and because he believes that five Judges are safer than three, and that in the multitude of councillors, there is most wisdom.

ALEX. McDOUGALD.

Mr. Phillips offered the following amendment, as an additional section, which was adopted, to wit :

*"And be it further enacted, That the election of Supreme Court and Circuit Judges of this State, shall not come on at the period now fixed by law, for the election of members to Congress, or the Legislature."*

The report as amended, was disagreed to. The bill was read the third time and lost.

Mr. McDougald from the Judiciary Committee, made the following report on the bill to be entitled an act to alter and amend an act entitled an act to authorize and empower Executors and Administrators, to make titles to land in certain cases, approved February 15th, 1799.

The Judiciary Committee to whom the foregoing bill has been referred, have instructed me to report against its passage.

ALEX. McDOUGALD,

Chairman of Judiciary Committee.

The report was agreed to. The bill was read the third time and lost.

Mr. McDougald from the Judiciary Committee, made the following report on the bill to be entitled on act to compel the Sheriffs of the several counties in this State, to make certain levies or returns of *nalla bona*, within a certain time prescribed, or be subject to liability by order of the Superior or Inferior Courts.

The Judiciary Committee to whom was referred the foregoing bill, have instructed me to report against its passage.

ALEX. McDOUGALD,

Chairman of Judiciary Committee.

The report was agreed to. The bill was read the third time and lost.

Mr. McDougald from the Judiciary Committee, reported favorable on the bill to be entitled an act to amend the 2d Section of an act to repeal the 48th Section, 14th Division of the Penal Code, so far as it relates to capital cases, and add a new section in lieu thereof, assented to, December 23d, 1843.

The report was agreed to. The bill was read the third time and passed.

Mr. McDougald from the Judiciary Committee, reported unfavorably upon the bill to be entitled an act to fix and regulate the fees of Attorneys and Solicitors General in this State.

The Report was agreed to. The bill was read the third time and lost.

Mr. McDougald, from the Committee on the Judiciary, made the following report on the bill to be entitled an act to require the several judges of the Superior Courts of this State on the trial of all causes before a special jury either at law or in equity, to have all the parole testimony taken down in writing at the request of either counsel for the Plaintiff or Defendant, in the words and language of the witness, as near as may be, and to require said judges to reduce to writing, before pronouncing, their judgment or opinion on all questions arising at law, or in equity, and in all criminal cases, and also to require said judges to reduce to writing before delivering the same, their charge to the aforesaid special and petit jurors, in each and all of the aforesaid causes, and for other purposes therein named.

The Judiciary Committee, to whom was referred the bill, deem its provisions expedient and necessary and recommend unanimously its passage.

ALEX. McDOUGALD,  
Chairman Judiciary Committee.

The report was agreed to. The bill was read the third time ; and upon the question ; "Shall this bill now pass?" the yeas and nays were required to be recorded, at the call of Mr. Martin, and are : yeas 52, nays, 41.

Those who voted in the affirmative are, Messrs.

Adams,	Hawkins,	G. R. Reid.
Bridges,	Hardison,	Richardson
Benj. Cleveland,	Hamilton,	N. Robinson,
Clements	Headen	W Smith,
Crawford,	Hood	Strickland,
Crittenden,	Linn.	Sweat
Dawson,	Mangham,	D. W. Taylor.
Denham,	Masters.	Thornton,
Dial,	McCurdy,	Trice,
Eberhart	McDonald	J. H. Walton,
Fields,	McDougald,	West,
Green	McLean,	Whitworth.
Haynie,	McMillan,	H L Williams
Harris	Nichols,	A J Williams,
Harrison,	Paris,	Woodward,
Harrall,	Poole,	Young,
Hatton	Pottle,	
Hays,	Powell,	

Those who voted in the negative are, Messrs.

Alread,	Brown	Clark
Armstrong,	Cameron,	Dodds,
Bostwick,	Carlton,	Dubignon

Fannin,	Manor,	Shewmake,
Fish	McGregor	W R Smith,
Gross.	McMullin,	Stephens,
<b>W P. Hardin,</b>	<b>McWhorter,</b>	<b>L. S. Stewart,</b>
Hardeman,	Mobley	Strother
Henderson,	Moody.	J. Taylor.
Hudson,	Phillips	Turner,
Irwin,	Pickett,	W. A. Walton,
Keith,	• Redding,	Walker,
Martin	M. Reid.	Wilson
Maxwell,	Riley,	

So the bill was passed.

Mr. Walker from the Select Committee, made the following report, on the bill to be entitled an act to refund certain monies to the county of Cobb :

The committee to whom was referred a bill refunding certain monies to the county of Cobb, report that they find the facts, as stated by the evidence produced in the House, to be substantially true. The facts are briefly these ; Ephriam Knight, Tax Collector of Cobb county returned to, and paid into the State Treasury the entire tax as reported upon his digest, before any allowance had been made by the Inferior Court for his insolvent list. It appears that this insolvent list had been held in each year as collateral security for the payment of the county tax into the hands of the Inferior Court. After the difficulties between the tax collector and Inferior Court had been arranged, the Court allowed his insolvent list, and as soon as the amount was accurately ascertained, the collector applied for the excess which he had paid into the Treasury. This amount the committee believe to be correctly stated in the bill and the certificates of the Judges of the Inferior Court, and recommend the passage of the bill.

A. C. WALKER,  
J. O. GARTRELL.

Mr. McDougald, from the Judiciary Committee, reported favorably on the bill to be entitled an act to alter and amend Section 43, of the Judiciary Act of 1799, so far as relates to the summoning of Grand Jurors.

The report was agreed to. The bill was read the third time, and upon the question, "Shall this bill now pass ?" the yeas and nays were required to be recorded at the call of Mr. Pottle, and are : yeas 15, nays 80.

Those who voted in the affirmative are Messrs.

Gross.	Harrison.	Hardison,
Haynie,	Harrall	Hood,

Masters,  
McCurdy,  
Mobley,

Pottle,  
Redding,  
Richardson

Wm. Smith,  
H L Williams  
Williamson,

Those who voted in the negative are Messrs.

Adams,  
Alread,  
Armstrong,  
Bostwick,  
Boatright  
Bridges,  
Calloway  
Cameron,  
Carlton  
Clark,  
Benj. Cleveland,  
W. C. Cleveland,  
Crawford,  
Crittenden,  
Dawson,  
Dodds,  
Dubignon  
Eberhart  
Fannin,  
Fields,  
Fish,  
Gartrell  
Green  
W. P. Harden,  
J Hardin  
Harris,  
Hatton,

Hardeman,  
Hays,  
Hawkins,  
Headen,  
Henderson,  
Hudson,  
Irwin.  
Jones,  
Keith,  
Leverett,  
Linn,  
Mangham,  
Martin  
Maxwell,  
Manor,  
McGregor,  
McMillan,  
McMullin,  
McWhorter,  
Moody.  
Nichols,  
Paris,  
Pickett  
Poole,  
Powers,  
G R Reid  
M. Reid,

Riley,  
N. Robinson,  
Rumph,  
Shewmake,  
Stephens,  
L S Stewart.  
J. Stewart,  
Stokes,  
Strickland  
Strother,  
Sweat,  
J Taylor  
D. W. Taylor  
Thornton,  
Trice,  
Turner,  
J. H. Walton,  
W. A. Walton.  
Walker,  
West,  
Whitworth,  
A J Williams  
Wilson,  
Williford,  
Woodward,  
Young.

So the bill was lost.

The following message was received from His Excellency the Governor, through Mr. DeGraffenreid, his Secretary :

*Mr. Speaker*—The Governor has approved and signed the following acts, which have been deposited in the office of the Secretary of State :

An act to authorize the Wills Valley Rail Road Company, incorporated by the Legislature of the State of Alabama, and any Rail Road Company incorporated by the Legislature of the State of Alabama, that may be associated with the Wills Valley Rail Road Company, to construct a Rail Road through the county of Dade and State of Georgia, and for other purposes therein specified ; also to incor-

porate a Rail Road or Plank Road Company, for the purpose of constructing a road from Augusta to a point on Savannah River opposite to the mouth of Steven's Creek, or within ten miles thereof.

An act to appropriate a sum of money to remove obstructions from the Big and Little Ochoopee Rivers, and to render the same navigable for the transportation of timber, rafts, lumber, wood and produce thereon, and for other purposes herein mentioned.

An act to compensate the Petit Jurors of the county of Stewart.

An act to incorporate Walker's Academy in the county of Jasper.

An act to alter and change the names of certain persons, and for other purposes therein mentioned.

An act to repeal an act passed 1851 and 1852. establishing an election precinct at Thomas H. Burn's Mills, in the 34th District, Georgia Militia, in Scriven county.

An act to incorporate Southworth Male and Female Academy, near the village or Corinth, in Heard county, and to appoint Trustees for the same.

An act to compensate the Grand and Petit Jurors of Crawford county, and to provide for the payment of the same.

An act for the relief of William P. Allen and Elizabeth Koonemon, of the county of Burke.

An act to remove an election precinct now at Moses Wright's house and known as State's Rights, in 230th District, Georgia Militia, in the county of Oglethorpe, to Woodstock in said district, and for other purposes therein named.

An act to change the names of certain persons therein named in the county of Emanuel.

An act to authorize and require the Ordinaries of the counties of Macon and Sumter to pay to William M. Threlkeld, of the county of Sumter, certain sums of money for teaching poor children of said counties, and for other purposes therein mentioned.

An act to amend an act to change the names and legitimize the persons therein named, and for other purposes, approved January 21st, 1852, and for other purposes.

Mr. McDougald from the Committee on the Judiciary, made the following report on the bill to be entitled an act to provide a new oath in lieu of the one now in force under the act entitled an act to admit Grand Jurors to give evidence approved December 10th, 1812.

The Judiciary Committee to whom was referred the foregoing bill have after examination of its provisions instructed me to report in favor of its passage, with some slight amendments herein inserted.

ALEX. McDOUGALD,  
Chairman Judiciary Committee.



The undersigned dissents from the majority report, because he believes if passed into a law it would multiply endless petty prosecutions, that would breed broils and feuds amongst our people. **ALEX. McDOUGALD.**

On motion of Mr. Pottle, the bill was laid on the table for the balance of the session.

Mr. McDougald, from the Judiciary Committee, made the following report on the bill to be entitled an act to alter the laws of this State in relation to the duties of appraisers of estates and for other purposes:

The Judiciary Committee to whom was referred the foregoing bill, have had the same under consideration and have instructed me to report a substitute for the same, and recommend the passage of the substitute by the House.

**ALEX. McDOUGALD,**  
Chairman Judiciary Committee.

Mr. McDougald moved that the following substitute be received in lieu of the original bill, to wit:

A bill to be entitled an act to amend an act for the relief and support of Widows and Orphans, out of the estates of their deceased husbands and parents assented to December 29th, 1838.

The report was agreed to, and the bill read the third time and passed.

Mr. McDougald from the Judiciary Committee reported favorably and recommend its passage, on the bill to be entitled an act to amend and explain Section 4th of an act entitled an act for the prevention of frauds and perjuries of force in this State.

The report was agreed to. The bill was read the third time and passed.

Mr. McDougald from the Committee on the Judiciary reported favorably on the bill to be entitled an act to create the office of Attorney General of this State, provide for the election of an officer to fill the same, prescribe the duties thereof, and fix the Salary of said officer and for other purposes.

Upon the question of agreeing to the report, the yeas and nays were required to be recorded at the call of Mr. McDougald, and are: yeas 24, nays 67.

Those who voted in the affirmative are, Messrs.

Calloway	Jones.	Phillips,
Crittenden,	Mangham,	Poole,
Denham,	Masters,	Pottle
Dial,	McCurdy	G. R. Reid
Harrison	McDonald,	Richardson
Hawkins	McDougald,	W. Smith,

Stokes,  
Strother,

W. A. Walton,  
West

H L Williams  
Wilson,

Those who voted in the negative are, Messrs.

Adams,	Hardeman,	Redding,
Alread,	Hays	M. Reid,
Armstrong,	Hardison,	Riley,
Bostwick,	Hamilton,	N. Robinson
Bridges,	Headen	Rumph,
Cameron,	Henderson,	Shewmake,
Carlton,	Hudson,	W R. Smith.
Clark	Irwin,	Stapleton,
Benj. Cleveland,	Keith,	Stephens,
W C. Cleveland,	Linn	L S Stewart
Crawford,	Martin,	J Stewart,
Dodds	Maxwell,	Strickland,
Dubignon,	Manor	Sweat,
Eberhart,	McGregor	D W Taylor
Fannin.	McLean	Turner,
Fields,	McMullin	J. H. Walton
Fish	McWhorter,	Whitworth
Gartrell,	Mobley,	A. J. Williams,
Green,	Moody.	Williamson,
Gross,	Nichols	Williford,
J. Hardin,	Paris,	Young,
Harris,	Pickett,	
Hatton,	Radford	

So the report was disagreed to. The bill was read the third time and lost.

Mr. Stapleton from the Committee on Enrolment reported the following bills, to wit :

A bill to be entitled an act to repeal so much of the 3d Section of an act entitled an act to provide for the education of the poor, approved January 22d, 1852, as prevents the provisions of said act being extended to said county of Lumpkin.

A bill to be entitled an act to reduce the Sheriff's bond of Decatur county.

A bill to be entitled an act to compel the Clerks of the Superior and Inferior Courts of the county of Appling, to keep their offices at Holmesville, the county site.

A bill to be entitled an act to authorize the Ordinary of Tattnall county, to keep his office at his own residence.

A bill to be entitled an act to compensate the Grand and Petit Jurors of Appling and Irwin counties.

A bill to be entitled an act to repeal an act entitled an act, to provide for the compensation of the Grand and Petit

Jurors of the Superior and Inferior Courts of the county of Elbert, and to repeal all former laws, approved December 14th, 1849, and to renew an act entitled an act to compensate the Grand and Petit Jurors of the Superior and Inferior Courts of the county of Elbert, and to provide for the payment of the same, and to repeal all previous acts upon that subject, so far as relates to the county of Elbert, approved December the 8th, 1841.

Mr. Gartrell, from the Committee on Enrolment, reported as duly enrolled, the following bills, to wit:

A bill to be entitled an act to amend an act entitled an act to improve the navigation of the Great Ogeechee River, so far as the appointment of new Commissioners is concerned.

A bill to be entitled an act to make penal the using of any poisonous substance, in any of the water courses in the counties of Thomas and Worth, for the purpose of poisoning and catching fish.

A bill to be entitled an act to prevent any person or persons, from felling in timber, or otherwise obstructing the current of Board Town Creek, in the county of Gilmer, and to punish offenders for the same.

A bill to be entitled an act to authorize Warren Freeman, of the county of Bibb, to practice physic on the Homœopathic System, and charge and collect compensation for his services.

A bill to be entitled an act to alter and amend the 5th Section of an act to regulate the weighing of cotton and other commodities of this State, approved Dec. 8th, 1806.

A bill to be entitled an act to confer certain privileges upon Joseph Neely, of the county of Thomas, and render him capable of transacting business for himself.

A bill to be entitled an act to change the time of holding the fall term of the Superior Court of Bulloch county.

A bill to be entitled an act for the relief of Jacob Martin of Forsyth county.

A bill to be entitled an act to repeal an act, approved December the 26th, 1851, compelling Justices of the Peace of the 1030th District, G. M., of the county of Ware, to hold their courts at Sweat & Jourdan's store, and for other purposes therein named.

A bill to be entitled an act to compensate Grand and Petit Jurors of the county of Habersham.

A bill to be entitled an act to remove an election precinct in the county of DeKalb.

A bill to be entitled an act to incorporate an Academy in the 7th District, in Randolph county, and appoint Trustees for the same; also, to incorporate an Academy in Monroe county.

A bill to be entitled an act to allow certain persons therein named, to administer oaths.

A bill to be entitled an act to reduce the official bond of the Sheriffs hereafter to be elected in the county of Twiggs, from the sum of twenty thousand dollars, to the sum of ten thousand dollars.

A bill to be entitled an act to incorporate the Grand Lodge Knights of Jericho of the State of Georgia, and for other purposes therein mentioned.

A bill to be entitled an act to change the line between the counties of Walker and Gordon, and to describe the line between the counties of DeKalb and Fulton.

A bill to be entitled an act to incorporate the Baldwin Blues Loan and Building Association, and the Macon Building and Loan Association.

Mr. McDougald, from the Committee on the Judiciary, reported against the passage of the bill to be entitled an act to regulate the fees of Ordinaries of this State, and allow them to make out annual returns.

The report of the committee was agreed to. The bill was read the third time and lost.

The House took up the report of the committee on the bill to be entitled an act to alter and regulate the fees of Ordinaries of this State.

The report of the committee was not agreed to. The bill was read the third time and lost.

Mr. McDougald, from the Judiciary Committee, reported unfavorably on the bill to be entitled an act to amend the 7th Section of the 2d Article of the Constitution.

The report was agreed to. The bill was read the third time and lost.

Mr. McDougald, from the Committee on the Judiciary, reported favorably on the bill to be entitled an act, in relation to the examination of parties, witnesses, and all other persons, in the courts of law and equity, and for other purposes therein named.

The report of the committee was agreed to. The bill was read the third time and passed.

The House then proceeded to the reading of Senate bills the third time, to wit :

A bill to be entitled an act to amend an act entitled an act, to appropriate money to improve the navigation of the Altamaha and Oconee Rivers, and to appoint Commissioners for the same, approved January the 19th, 1852.

The report of the committee was agreed to. The bill was read the third time and passed.

Mr. Trice moved that the House adjourn until half-past seven o'clock, P. M.

Upon which motion the yeas and nays were required to

be recorded, upon the call of Mr. Mobley, and are : yeas 61, nays 24.

Those who voted in the affirmative are Messrs.

Adams,	Hawkins,	Richardson,
Alread,	Hardison	Riley
Armstrong,	Hamilton,	Rumph,
Bostwick,	Headen,	Shewmake,
Bridges	Henderson,	Stapleton,
Calloway	Hudson,	Stephens,
Cameron,	Keith,	L. S. Stewart,
Clark.	Linn,	Stokes
Benj. Cleveland.	Mangham,	J. Taylor,
W. C. Cleveland,	Martin	D. W. Taylor,
Clements	Maxwell,	Thornton
Dodds,	Mauor	Trice,
Eberhart	McCurdy,	Turner,
Fannin,	McDonald	J. H. Walton,
Gartrell,	McDougald,	Walker
James Hardin	McGregor,	West,
Haynie	McMillan,	Whitworth,
Harris,	McMullin,	A J Williams
Harrall,	Paris,	Wilson,
Hatton,	Phillips	
Hardeman,	Pickett,	

Those who voted in the negative are Messrs

Carlton,	Hays,	Pottle,
Crawford	Masters	Redding,
Crittenden,	McLean,	M. Reid,
Dubignon,	McWhorter	Staten
Fields,	Mobley,	Strickland,
Fish,	Moody,	Strother,
Gross,	Nichols,	Williamson
Harrison,	Poole,	Young,

So the motion was agreed to, and the House adjourned accordingly.

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### HALF-PAST SEVEN O'CLOCK, P. M.

The House met pursuant to adjournment.

On motion of Mr. Haynie, the House proceeded to read Senate bills the first and second time.

On motion, leave of absence was granted to Messrs. Staten and Radford.

The House took up the following Senate bill, which was read a second time, and ordered to be committed for a third reading, to-wit :

A bill to be entitled an act to extend and define the corporate limits of the city of Savannah.

The House took up the following Senate bill, which was read the second time, to-wit :

A bill to be entitled an act to lay out and organize a new county from the counties of Baker and Early.

On motion of Mr. Rowell, it was made the special order of the day for Wednesday next, the 8th inst.

The following Senate bills were taken up, read a second time, and ordered to be committed for a third reading, to-wit :

A bill to be entitled an act to incorporate College Temple, located in Newnan, Georgia, and to confer powers on the same.

A bill to be entitled an act to submit the question of the removal of the court house of Macon county, to the people thereof, and the place of its location ; and in case they elect to remove it, to authorize the Justices of the Inferior Court to sell the court house and property of the county appertaining thereto, to negotiate for the site that may be elected, and to levy an extra tax for building the new court house.

Mr. Haynie moved to take up Senate bills for a third reading ; which was agreed to.

The following bill to be entitled an act to render valid all records made by Charles M. Pratt, as Clerk of the Superior Court of Comden county, was taken up.

The report of the committee was agreed to ; the bill was read the third time and passed.

The following bill to be entitled an act to confer certain rights upon the Ordinary and School Commissioners of Emanuel county, and to authorize the adjournment of the Court of Ordinary, was taken up.

The report of the committee was agreed to ; the bill was read the third time and passed.

The following bill to be entitled an act to incorporate the Irwinton Free Church, and to appoint Trustees for the same, and for other purposes therein mentioned, was taken up.

The report as amended, was agreed to ; the bill was read the third time and passed.

The House took up the Senate bill, to be entitled an act to authorize the testimony of physicians to be taken in certain cases, by interrogatories.

On motion of Mr. McDougald, the same was postponed indefinitely.

The House took up the Senate bill, to be entitled an act to amend the act to incorporate the Milledgeville Turnpike and Rail Road Company, and to grant certain privileges to

the same, passed the 24th December, 1840, and the acts amendatory thereof.

The report was agreed to. The bill was read the third time and passed.

The House took up the Senate bill, to be entitled an act to authorize and require the School Commissioners therein named, to pay teachers who taught poor children of said counties in 1852, and failed to file their accounts within the time prescribed by law.

Mr. McDougald offered the following amendment, which was accepted, to wit :

“Provided, that the provisions of this Act shall apply to the year 1853, and that all teachers of poor children for said year, shall be paid their arrearages ratably, out of any surplus funds for teaching poor children, in the hands of said Commissioners.”

The report, as amended, was agreed to. The bill was read the third time and passed.

The following bill to be entitled an act to repeal so much of the charter of the University of Georgia as requires an oath or oaths to be taken by the officers thereof, within three months of their entering on the discharge of their duties, and to alter and fix the time of the meeting of the *Senatus Academicus*, was taken up.

The report was agreed to. The bill was read the third time and passed.

The following bill to be entitled an act to extend the corporate limits of the town of Carrollton, in Carroll county, was taken up.

The report was agreed to. The bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to add an additional Section to the 10th Division of the Penal Code of this State.

The report was agreed to, and on motion of Mr. McDougald, postponed indefinitely.

The House took up the Senate bill to be entitled an act to repeal an act, assented to the 22d day of January, 1852, amendatory of the Road Laws of the State, so far as relates to the county of Baldwin.

The report was agreed to. The bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to grant certain exemptions to the Liberty Independent Troop, and Liberty Guards, of the 1st Squadron, 1st Division, Georgia Militia.

The report was agreed to, and upon the question, “Shall this bill now pass?” the yeas and nays were required to be recorded—upon the call of Mr. Strickland—and are : yeas 34, nays 45.

Those who voted in the affirmative are, Messrs

Armstrong,	Irwin,	L S Stewart
Bostwick,	Mangham	Stokes,
Cameron,	Martin	Strickland,
Carlton,	Masters	Strother,
Clements,	Maxwell,	Sweat,
Crittenden,	McMullin,	D. W. Taylor
Dawson,	Mc Whorter	H L Williams
Fannin,	Mobley.	A. J. Williams,
Harrison,	Moody,	Young
Hardeman,	Paris,	Yopp
Hawkins	Pottle	
Hood,	M. Reid	

Those who voted in the negative are, Messrs.

Adams	Headen	Rowell
Alread	Henderson	Rumph,
Bridges,	Hudson	Shewmake
Calloway.	Keith,	W R. Smith,
Benj. Cleveland	Leverett,	Stapleton,
W. C. Cleveland,	McDougald,	J. Stewart,
Denham,	McGregor,	Trice,
Dial,	McLean	Turner,
Fields,	McMillan,	J H Walton,
Fish,	Nichols,	W. A. Walton,
Gross	Phillips	Walker,
Haynie	Pickett	West
Hatton,	G. R. Reid,	Williamson,
Hays	Richardson	Wilson
Hardison	Riley,	Woodward,

So the bill was lost.

The House took up the Senate bill to be entitled an act to authorize any three Justices of the Inferior Court of Justices of the Peace to hold land Courts.

The report was not agreed to. The bill was read the third time and lost.

The House took up the Senate bill to be entitled an act to authorize Justices of the Peace of Camden county to hold Land Courts.

The report was disagreed to. The bill was read the third time and lost.

The House took up the Senate bill to be entitled an act to compensate the Grand and Petit Jurors of Pike, Murray and other counties, and Petit Jurors of certain counties, and amendatory of other acts for the payment of Grand and Petit Jurors of certain counties therein named.



The report was agreed to The bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to incorporate Fletcher Institute.

The report was agreed to. The bill was read the third time and passed.

The House took up the Senate bill to be entitled an act for the relief of William A. Clements.

The report was agreed to.

Mr. Alread called for the previous question ; which call was sustained.

The main question was ordered to be put, and upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded—upon the call of Mr. McDougald—and are : yeas 12, nays 64.

Those who voted in the affirmative are, Messrs.

Adams,	Hardison,	N. Robinson,
W. C. Cleveland,	Mangham,	J. Stewart,
Denham,	McDougald,	West,
Hawkins,	Richardson,	H L Williams

Those who voted in the negative are, Messrs.

Alread,	Keith,	Rumph,
Bostwick,	Linn,	Shewmake,
Cameron	Martin,	Wm. Smith,
Carlton,	Masters,	Stapleton,
Clark,	Maxwell,	Stephens,
Benj. Cleveland,	McCurdy,	Strickland,
Dial,	McGregor,	Strother,
Faunin,	McLean	Sweat,
Fields,	McMillan,	Thornton,
Fish,	McMullin	Turner,
Gartrell,	McWhorter,	J H Walton,
Gross,	Mobley,	W A. Walton
Harrison,	Nichols,	Walker,
Harrall,	Paris,	A. J., Williams.
Hatton,	Phillips	Williamson,
Hardeman,	Pickett,	Wilson,
Hays	Poole,	Williford,
Headen,	Pottle	Woodward,
Henderson,	G. R. Reid,	Young,
Hood,	M. Reid,	Yopp.
Hudson,	Riley,	
Irwin,	Rowell,	

So the bill was lost.

The House took up the Senate bill to be entitled an act to provide for furnishing the superintendents of certain elections blank forms for making out their returns.

The report was agreed to. The bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to add one additional section to the 14th Division of the Penal Code of this State.

The report was disagreed to. The bill was read the third time and lost.

The House took up the Senate bill to be entitled an act to repeal a certain portion of an act entitled an act to prevent the killing of deer, at certain periods of the year, in the county of Carroll.

The report was agreed to. The bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to define the duties of County Treasurer in the several counties of this State.

The report was disagreed to. The bill was read the third time and lost.

The House took up the Senate bill to be entitled an act to consolidate the offices of Tax Receiver and Collector, of the county of Irwin.

The report was agreed to. The bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to authorize the Chief Engineer of the Western & Atlantic Rail Road to pay negro Ransom compensation for his own services.

The report was agreed to. The bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to make guardians administrators, by virtue of their office.

The report was agreed to. The bill was read the third time and lost.

The House took up the Senate bill to be entitled an act for the relief of James Morris, of Randolph county.

The report was agreed to. The bill was read the third time, and upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded—at the call of Mr. Riley—and are : yeas 44, and nays 38.

Those who voted in the affirmative, are Messrs.

Adams	Clements	Gartrell,
Armstrong,	Crittenden,	Haynie
Calloway,	Dawson,	Hardeman
Benj. Cleveland,	Denham,	Hays,
W C Cleveland	Fields,	Hawkins,

Hardison	Nichols,	Stokes,
Hamilton,	Phillips,	Strickland,
Headen,	Pickett,	Strother,
Henderson,	Poole,	Sweat.
Mangham,	G. R. Reid,	J. Taylor,
Martin	M. Reid,	West
Masters,	N Robinson	H L Williams
McDougald,	Rowell,	Woodward,
McGregor	L S Stewart	Young,
McLean	J. Stewart,	

Those who voted in the negative are, Messrs.

Alread	Irwin,	W. R. Smith,
Bostwick,	Maxwell	Stapleton,
Cameron.	McCurdy,	Thornton,
Carlton.	McMullin,	Trice.
Clark	McWhorter	Turner
Dodds,	Mobley,	J. H. Walton,
Dubignon,	Moody	W A. Walton,
Fannin.	Paris,	Walker
Gross,	Pottle,	A. J. Williams,
Harrison,	Richardson,	Williamson,
Harrall,	Riley	Wilson
Hatton.	Rumph	Yopp.
Hood	Shewmake,	

So the bill was passed.

On motion of Mr. Cleveland of Crawford, the House adjourned until to-morrow morning half-past nine o'clock.

## TUESDAY, FEBRUARY 7th, 1854.

The House met pursuant to adjournment.

[ The following message was received from the Senate, by Mr. Moore, their secretary :

*Mr. Speaker*—The Senate has passed the following bills, to wit :

A bill to add a proviso to the 7th Section of the 2d Article of the Constitution of this State, and to make the same a part thereof. Also,

A bill to lay out and organize the county of Hayne, from the county of Camden. Also,

A bill for the relief of Eli P. Howell, of Gordon county, and his secutities.

The Senate has also passed the following bills of the House of Representatives, to wit :

A bill to authorize the Justices of the Peace to grant land warrants in the county of Montgomery. Also,

A bill to lay out and form a new county out of the counties of Clinch, Ware, Telfair and Irwin and to organize the same. Also,

A bill to open and construct a Rail Road from the Western and Atlantic Rail Road, by Elijay, in Gilmer county, to the Copper Mines at or near the mouth of Fighting Town Creek, in said county, with an amendment in which they ask the concurrence of the House of Representatives.

On motion, leave of absence was granted to the Committee on the impeachment of E. D. Chisholm ; also to Mr. Taylor of Houston.

Mr. Phillips moved to reconsider so much of the Journal of yesterday as relates to the adoption of the resolution in relation to the Hon. Joseph Sturges.

Upon which motion the yeas and nays were required to be recorded—upon the call of Mr. Alread—and are : yeas 45. nays 36.

Those who voted in the affirmative are, Messrs.

Adams	Hardison,	M. Reid,
Benj. Cleveland	Hamilton,	N. Robinson,
Clements,	Headen	Rowell,
Crittenden,	Henderson	Rumph
Dial,	Hudson,	J. Stewart,
Eberhart	Keith,	Stokes,
Fields	McComb	Strickland,
Fish,	McCurdy,	Sweat,
Gartrell.	McDougald,	Turner,
Green	McGregor	Walker,
Haynie,	McLean	West,
Harrall	McMullin	H L Williams
Hardeman	Pickett,	A J Williams
Hays,	Poole,	Wilson,
Hawkins	G. R. Reid,	Young,

Those who voted in the negative are, Messrs.

Alread,	Gross	Mobley,
Brown,	W. P. Harden,	Moody,
Cameron,	Hatton	Nichols
Carlton,	Hood	Paris
Clark	Irwin,	Richardson.
Cody	Martin	Shewmake,
Dawson	Maxwell,	Stapleton,
Denham.	McMillan	Stephens,
Dubignon	McWhorter	L. S. Stewart,

Strother  
J. Taylor,  
Thornton,

W. A. Walton,  
Whitworth,  
Williamson.

Williford,  
Woodward,  
Yopp.

So the motion prevailed

The House proceeded to the reading of bills of the Senate the third time.

The House took up the Senate bill to be entitled an act for the relief of Angelique Levy.

The report was agreed to. The bill was read the third time and passed.

The House took up the Senate bill to be entitled an act for the relief of Mary Roberts of the county of Hall.

Mr. McDougald moved to amend by inserting "Emily Goucher of Randolph county;" which was agreed to.

The report as amended was agreed to; the bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to extend the provisions of the act to abolish the right of survivorship in joint tenants in this State.

The report was agreed to. The bill was read the third time and lost.

The House took up the Senate bill to be entitled an act to add an additional section to the 1st article of the Constitution.

Mr. McDougald moved to lay the bill upon the table for the balance of the session.

Upon which motion, the yeas and nays were required to be recorded—at the call of Mr. McWhorter—and are : yeas 52, and nays 30.

Those who voted in the affirmative are, Messrs.

Anderson,  
Brown  
Cameron,  
W. C. Cleveland,  
Clements  
Cody  
Crittenden  
Dial,  
Fields,  
Fish,  
James Hardin,  
Haynie  
Harris,  
Harrall  
Hatton,

Hays  
Hawkins,  
Hamilton,  
Henderson  
Keith,  
Mangham  
Maxwell,  
McComb,  
McCurdy,  
McDougald  
McGregor,  
McMillan,  
McMullin,  
Phillips,  
Poole

G. R. Reid,  
M. Reid,  
Richardson,  
Rowell  
Rumph  
W. R. Smith,  
Stapleton,  
L. S. Stewart,  
J Stewart  
Stokes,  
Strickland,  
Sweat,  
D W Taylor  
Trice,  
Turner,

W. A. Walton,	A. J. Williams	Wilson,
Whitworth,	Williamson,	Woodward,
H. L. Williams,		

Those who voted in the negative are Messrs.

Adams,	Hudson.	Pottle,
Alread,	Linn,	Powell
Armstrong,	Martin	Redding,
Carlton,	Masters	Riley,
Clark,	McLean	Shewmake
Benj. Cleveland,	McWhorter,	Strother
Eberhart,	Mobley,	Thornton
Green	Moody,	Williford
Gross,	Nichols,	Young,
W. P. Harden,	Paris,	Yopp.

So the motion to lay on the table was agreed to.

The House took up the Senate bill to be entitled an act to dispose of the ungranted lots of land in the Cherokee purchase and elsewhere.

Mr. Fields moved to strike out "45" and insert "43;" which was agreed to.

Mr. Fields offered to amend by adding an additional section, as follows:

*And be it further enacted,* That all lands drawn by orphan or orphans, and not granted within twenty one years after drawing; also, all lands drawn by illegitimate person or persons, deaf and dumb or blind persons, and not granted within twenty-one years after the drawing, shall be subject to the provisions of this act.

The report as amended was agreed to; the bill was read the third time and passed.

On motion of Mr. Fields the Clerk was directed to transmit the bill, with the House amendment, forthwith to the Senate.

The House took up the Senate bill to be entitled an act to amend the 1st section of the third article of the Constitution of the State of Georgia.

On motion of Mr. Thornton, the foregoing bill was referred to the Judiciary committee.

The House took the report of the Senate on the bill to be entitled an act to change the time of holding the Superior court of Taylor county.

On motion of Mr. Stewart the bill was laid on the table for the balance of the Session.

The House took up the Senate bill to be entitled an act to grant corporate powers and privileges to Madison Steam Mill Company.

The report was agreed to; the bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to incorporate the town of Roswell in the county of Cobb, to provide for the election of intendant and board of Commissioners for the same, and to confer upon them specified powers, and for other purposes therein mentioned.

The report was agreed to; the bill was read the third time and passed.

The House took up the Senate bill to be entitled an act transferring from the Executive committee of the Georgia Baptist Convention to the commissioners herein named and their successors in office, the Female Academy and Teachers house in Penfield, with lots and all the appurtenances thereto belonging.

The report was agreed to; the bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to alter and change so much of the 7th section of the act entitled an act to carry into effect the amended Constitution of this State, in reference to the Ordinaries of said State, and for other purposes, as relates to the county of Liberty.

The report was agreed to; the bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to add a part of Jackson to the county of Madison, so as to include the residence of James M. Sailors in the county of Madison.

The report was agreed to; the bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to incorporate College Temple, located in Newnan, Georgia, and to confer powers on the same.

The report was agreed to; the bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to submit the question of removal of the Court House of Macon county to the people thereof, and the place of its location, and in case they elect to remove it, to authorize the Justices of the Inferior Court to sell the Court House and property of the county appertaining thereto, to negotiate for the site that may be elected, and to levy an extra tax for the building of the new court house.

Mr. McMullin offered as an amendment, the following additional section, which was agreed to, to wit:

*"And be it further enacted by the authority aforesaid, That in the event of the removal of the court house, the Justices of the Inferior Court shall appoint one commissioner from each militia district of the county, who, when so appointed,*

shall constitute a board of commissioners to assess the amount of damages accruing to the owners of real property in the town of Lanier on account of the removal of the public buildings from that place, and upon the application by any owner of real property in said town to said commissioners, they shall proceed to make their award of damages and report the same to the Justices of the Inferior Court; and said Court shall thereupon pass an order in favor of said applicant for the amount of damages so assessed, requiring the treasurer of the county to pay the same; and that said Inferior Court allow said commissioners such pay as in their discretion their services may be worth in discharging their duty as such commissioners.

The report as amended was agreed to; the bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to authorize teachers of poor children in the county of Warren, to furnish books and stationery to such children, and provide for the payment of the same.

Mr. Hawkins offered the following amendment, which was agreed to, to wit :

“Also, That the provisions of this act be extended to the counties of Crawford and Chattooga, and also to McIntosh and Irwin.”

The report was agreed to; the bill was read the third time and passed

The House then proceeded to the reading of House bills the third time.

The House went into Committee of the Whole—Mr. Pottle in the chair—on the bill to be entitled an act to refund certain money to the county of Cobb. After some time spent therein the committee rose and reported the bill back to the House without amendment.

The report was agreed to.

Upon the question “Shall this bill now pass?” the yeas and nays were required to be recorded, and are ; yeas 67, nays 9.

Those who voted in the affirmative are Messrs.

Adams	Dawson	Harris,
Andrews	Denham,	Hatton
Armstrong	Dial	Hays,
Calloway,	Eberhart,	Hawkins,
Carlton,	Fields	Hardison
Clark,	Fish,	Hamilton,
Benj. Cleveland,	Gartrell,	Hood
W. C. Cleveland,	W. P. Harden,	Jones
Clements	James Hardin,	Keith
Crittenden,	Haynie,	Leverett,



Linn,	Phillips,	Strother
Mangham,	Pottle	Thornton •
Martin	Redding,	Trice,
Masters,	G. R. Reid,	Turner,
McComb	M Reid	J. H. Walton,
McDougald,	Rumph,	Walker,
McGregor,	W R. Smith,	West,
McMillan,	W. Smith,	Whitworth,
McMullin,	Stapleton	H L Williams
McWhorter	L S Stewart	Williford
Mobley,	J Stewart	Young.
Nichols,	Stokes	
Paris	Strickland	

Those who voted in the negative are, Messrs.

Alread,	McLean	Riley,
Henderson,	Moody.	A J Williams
McCurdy,	Richardson	Williamson,

So the bill was passed.

Mr. Stapleton from the Committee on Enrolment, reported the following bills as enrolled :

A bill to be entitled an act to incorporate Phi Delta Masonic Female Academy at Phi Delta, Franklin county; also, to incorporate and confer certain powers upon the Trustees of the Thomson Male and Female high school in Columbia county. Also,

A bill to be entitled an act to change the laws now in force in this State relating to the arrival within the limits of this State of colored seamen. Also,

A bill to be entitled an act to compensate the Grand and Petit Jurors of the county of Wilkinson, and to provide for the payment of the same; also, to compensate the Petit Jurors of the county of Fulton and to provide for the payment of the same; and to compensate the Sheriff of Fulton county for summoning Jurors, and to authorize the Justices of the Inferior Court of said county to levy a county tax for that purpose, and for other purposes therein mentioned.—Also,

A bill to be entitled an act to incorporate Trenton Lodge No. 179, of Free and Accepted Masons, Trenton Dade county, Georgia; also, to incorporate and confer certain powers on the Sisters of the Order of our Lady of Mercy.—Also,

A bill to be entitled an act to incorporate the Methodist Protestant Church at Sylvania in Scriven county, and ap-

point Trustees for the same and other churches therein named.

A bill to be entitled an act to confer certain privileges upon Francis M. Wilson of Thomas county, and make lawful his acts, and give him authority to transact business as though he was twenty one years old.

A bill to be entitled an act to alter and amend the third section of third article of the Constitution of the State of Georgia, by striking out the following words, to wit: "Appointed by the Legislature," and inserting in lieu thereof the words following, to wit: "Elected by the persons entitled to vote for members of the Legislature, at such times and in such manner as the Legislature shall or may by law direct, and to add an additional section to the first article of the Constitution."

A bill to entitled an act to authorize the formation of two fire companies in the city of Macon, to be called the Protection Fire Company, No. 1, and Ocmulgee Fire Company No 2, of the city of Macon, and to confer on the members thereof certain privileges and exemptions.

A bill to be entitled an act to change the names of certain persons therein mentioned, and for other purposes.

A bill to be entitled an act to alter, change and amend the 46th section of an act to amend an act, entitled an act to revise and amend the Judiciary system of this State, approved February 16th, 1799, so far as to dispense with an order of court before bringing suits on Sheriffs' bonds.

A bill to be entitled an act to alter and define the county line between the counties of Talbot an Taylor and straightening the same, and for the better defining and ascertaining the limits and boundary of the county of Worth.

A bill to be entitled an act to incorporate the Dade county Iron Manufacturing and Coal Company.

A bill to be entitled an act for the relief of Matthew Grace and Thomas Thomson of the county of Pulaski, and for the relief of Benjamin F Chew and Wiley B. Griffin and their assigns.

A bill to be entitled an act to repeal an act to make permanent the public site in the county of Lee at Starksville and to incorporate the same, to designate the corporate limits thereof, to appoint commissioners for the same, and to define their powers, approved December 26th 1851, and to provide for the selection of a new county site, and for other purposes therein mentioned.

A bill to be entitled an act for the relief of Hannah Levy and other persons therein named.

The House took up the report of the committee on the bill to be entitled an act to wind up the affairs of the Central Bank and for other purposes.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to incorporate a bank in the town of Fort Gaines, to be called the South West Bank of Georgia.

Mr. Walker offered the following amendment, which was agreed to, to wit:

*"Provided, That if this charter is sold by the corporators before organizing under it to any person or company residing out of this State, or if, at any time hereafter, more than one-fourth of the capital stock is directly or indirectly owned or controlled by any non resident person or company, said charter shall be, and is hereby wholly forfeited."*

The report as amended was agreed to; the bill was read the third time, and upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded—the call of Mr. Dial, and are: yeas 41, nays 40.

Those who voted in the affirmative are Messrs.

Adams,	Hamilton,	Rowell
Brown,	Mangham	Shewmake,
Benj. Cleveland,	Masters,	L S Stewart
W C Cleveland	McCurdy,	Stokes,
Crittenden	McDougald,	Strother.
Dawson,	McGregor,	Thornton,
Denham,	McMullin	Walker.
Dubignon	Paris,	West.
Eberhart,	Phillips,	A. J. Williams,
Green	Poole,	H. L. Williams,
Griffin,	Pottle,	Woodward,
Haynie	Powell,	Young,
Harrall	Redding	Yopp.
Hawkins,	G R Reid	

Those who voted in the negative are, Messrs.

Alread,	Hardison,	Riley
Andrews,	Henderson,	Rumph,
Armstrong	Hood,	W. R. Smith
Bostwick,	Keith	Wm. Smith,
Carlton	Linn	Stapleton
Clark,	Martin,	Stephens,
Cody,	Maxwell,	J Stewart
Dial,	McLean,	Sweat,
Fields	McWhorter,	Trice
Fish,	Mobley,	Williamson,
James Hardin,	Moody	Wilson,
Harris	Nichols,	Williford,
Hatton,	M. Reid,	
Hays,	Richardson.	

So the bill was passed.

The following message was received from the Senate, by Mr. Moore, their secretary :

*Mr. Speaker*—The Senate has agreed to a resolution, recommending to the Congress of the United States, the establishment of a Naval Depot at the city of Brunswick, in this State, and that his Excellency, the Governor, be requested to forward copies of the foregoing resolution, to our Senators and Representatives in Congress—in which they ask the concurrence of the House of Representatives.

The Senate has also passed the following bills of the House of Representatives, to wit :

A bill to appropriate money for the purpose therein mentioned. Also,

A bill to change the lines between the counties of Cass and Gordon, and Floyd and Gordon, and for other purposes, and changing the residence of certain persons, to other counties, with amendments—in which they ask the concurrence of the House of Representatives.

The House took up the report of the committee on the bill to be entitled an act to authorize the equitable remedy of specific performances, in certain cases.

The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to amend the rent laws of this State.

The report of the Committee was disagreed to. The bill was read the third time and lost.

The House took up the report of the Committee on the bill to be entitled an act to incorporate the Columbus and Hamilton Rail Road Company.

Mr. Redding offered the following amendment, which was agreed to, to wit :

“Provided, that nothing in this charter shall exempt said company from liability, and they are hereby made liable under existing laws, or in any other manner that the Legislature may by law provide, for all damages sustained by any individual, or individuals, from the loss or crippling of all kinds of stock, or any other species of property whatever, by the running of the locomotives, cars, engines, or any other motive power on said road, and are, and shall be liable for all injuries received by any individual, or individuals, or damage done him, her or them, by the running said cars, engines, locomotives, or any other motive power on said road, and in the event death ensue, then the right of action, or recovery, shall survive to his, her or their representative, or representatives, against the said company for said damages ; and in all suits and controversies arising from causes aforesaid, the said company shall be considered as *prima facie* at fault, and the burthen of proof, showing themselves

excusable, shall rest upon said company: provided further, that the stock in said Rail Road Company shall, at all times, be subject to such tax as the present, or any future Legislature may desire to levy on the same."

On motion of Mr. Stewart, of Hancock, the rules were suspended, and the bill to be entitled an act for the pardon of Newton J. Carr, for voluntary manslaughter, was taken up and read a second time.

On motion of Mr. Stewart, of Hancock, the bill was made the special order of the day for Thursday next.

On motion of Mr. Cleveland, of Crawford, the House adjourned until half past two o'clock, P. M.

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### HALF-PAST TWO O'CLOCK, P. M.

The House met pursuant to adjournment.

The House took up the message of the Senate, in relation to the amendments to the bill to be entitled an act to change the line between the counties of Cass and Gordon, and Floyd and Gordon, and for other purposes therein mentioned.

The first amendment of the Senate was read and concurred in.

Mr. McDougald moved to concur in the amendment.

There being no quorum, Mr. McDougald moved a call of the House, and the following members were absent, to wit:

Messrs. Anderson, Armstrong, Barnes, Bell, Boatright, Bridges, Brown, Calloway, Cameron, Carlton, Champion, Dawson, Dodds, Dubignon, Durden, Grant, Green, Gross, Harden of Clarke, Hays, Hamilton, Hendrick, Holland, Hudson, Lamar, Latham, Leverett, Martin, Mays, McComb, McDonald, McMullin, McMillan, McWhorter, Moody, Poole, Powell, Powers, Radford, Reynolds, Rice, Richardson, Robinson of Washington, Rowell, Rucker, Shine, Smith of Camden, Smith of DeKalb, Smith of Liberty, Stapleton, Staten, Stokes, Taylor of Houston, Walker and Williamson.

Soon after the call, it was found that a quorum was present, and the House resumed the consideration of the Senate's amendments.

On the motion to concur in the second amendment, made by Mr. McDougald, the yeas and nays were required to be recorded, at the call of Mr. Williford, and are: yeas 52. nays 33.

Those who voted in the affirmative are Messrs.

Adams,	Hatton	Phillips,
Andrews,	Hawkins	Pickett,
Benj. Cleveland,	Hardison,	Redding,
W C Cleveland	Hamilton	G. R. Reid,
Clements	Headen,	M. Reid,
Crawford,	Henderson,	N. Robinson,
Crittenden	Jones	Rumph,
Denham	Keith,	W. R. Smith.
Dial,	Leverett	W. Smith
Eberhart	Linn,	J. Stewart
Fields,	Mangham,	Strickland,
Fish,	Masters	Sweat,
Gartrell,	Manor,	J. Taylor,
Green	McDougald,	West
Griffin,	McLean,	Whitworth,
James Hardin,	McMillan,	H. L. Williams,
Haynie,	Moughon,	
Harrison,	Nichols,	

Those who voted in the negative are Messrs.

Alread	Maxwell.	Thornton,
Bostwick	McCurdy,	Turner
Clark,	McWhorter.	J. H. Walton,
Cody,	Mobley,	W. A. Walton,
Dodds	Moody,	A J Williams,
Fannin,	Paris,	Williamson,
Gross,	Riley,	Wilson
Harris,	Shewmake	Williford
Harrall,	Stephens,	Woodward,
Hood	L. S. Stewart,	Young
Martin,	Strother,	Yopp.

So the amendment was concurred in.

Mr. Mangham offered the following amendment to the Senate's amendment, to wit:

*"And be it further enacted by the authority aforesaid, That the line between the counties of Spaulding and Pike, be so altered and changed, as to add the whole of lots of land Nos. 96 and 97, in the 1st District of, originally Monroe county, now Spaulding county, whereon Uriah Askew now resides, to the county of Pike."*

On motion, the amendment was concurred in.

On motion of Mr. Trice, the Clerk was required to transmit the action of the House on said bill, forthwith, to the Senate.

Leave of absence was granted to Messrs. McDonald, Durden, Bridges and Hudson, on account of sickness.

The House then took up the message of the Senate relative to the amendments of the Senate, to the bill to be entitled an act to open and construct a Rail Road from the Western & Atlantic Rail Road, by Elijay, in Gilmer county, to the Copper Mines, at or near the mouth of Fighting Town Creek, in the county of Gilmer—and concurred in the amendments thereto.

The House took up the message of the Senate, relative to the amendments of the Senate to the bill to be entitled an act to lay out and form a new county out of the counties of Clinch, Ware, Telfair and Irwin, and to organize the same and concurred in the amendments thereto.

Mr. Cody, from the Special Committee, to whom was referred the bill to be entitled an act to amend the patrol laws of this State, reported the same back to the House, with a substitute for the same.

On motion of Mr. Poole, the bill and substitute, and amendments, were laid on the table for the balance of the session.

Mr. Phillips, from the Committee on Finance, to whom were referred the various bills for the removal of the Seat of Government, made the following report, to wit :

The Committee on Finance, to whom were referred the several bills in relation to the removal of the Seat of Government, have given the same that careful consideration which the magnitude of the subject deserves, and beg leave to report—That the public buildings of our State, are in a very dilapidated, and even dangerous situation ; that we find that a large amount is necessary to repair those buildings, in order to make them safe and comfortable—and in view, therefore, of their present situation, their dilapidated condition, and above all, their diminutive size and general appearance, your committee, as Georgians, loving our native State, and desiring her future prosperity and success, most emphatically recommend a removal of the Seat of Government to such place as the Legislature in their wisdom, may select, without expressing any opinion as to the manner in which the means necessary to its removal shall be raised, as the finances of our State are not in such a condition as to justify any outlay from the public Treasury.

Mr. Poole, from the Joint Standing Committee on the Penitentiary, made the following report :

The Committee, after a careful examination of the management, condition and affairs of the Institution, are highly gratified in being able to report most favorably of the diligence and carefulness of its officers in the performance of their respective duties. It is to be expected from the nature of the Institution; that many difficulties would present them-

selves in its arrangement ; but, the fact that not a single convict has succeeded in entirely escaping, within the space of the last two years, is a very flattering testimony to the vigilance and good management of those charged with its supervision.

Your committee are decidedly of the opinion, that the Penitentiary, under its present system of management, will never become self-sustaining; for, from information before us, the average cost of the Penitentiary, to convey convicts from the different counties, is about forty dollars each, with an additional expense of ten dollars each, on discharging. This expense is still further increased by the total inability of about twenty of its convicts to do any work, and perhaps as many more whose services are almost valueless.

#### DISCIPLINE AND CONFINEMENT.

Your committee have had very limited opportunities of inquiring into the discipline of the Penitentiary. We are of the opinion, that the discrimination in favor of G. J. Bulloch, does not comport with the aggravated nature of his offence ; an exception in his favor is highly improper ; suffering him to keep the books of the Penitentiary, we deem a palpable violation of the law which sentenced him to *hard labor*.

From the most reliable sources of information, the average length of confinement of the convicts, is found to be about three and a half years, a period too short to *learn a trade*, to a man of ordinary capacity, particularly in some of those branches of labor required in the Institution. A change in the system of management remedying this, would be advantageous, both to the State and convicts.

The classification of the prisoners recommended by the Governor, we deem impracticable, under the present organization of the Institution.

The proposition to lease, submitted to the Legislature, by the late Principal Keeper, your committee have carefully considered, and deem the project unwise and impolitic at present. To entertain the proposition of Major Zachary, the State would be compelled to make large appropriations to enlarge the cell buildings, build additional shops, and make indispensable repairs. In addition to this, the personal interest of the lessee to make convict labor as profitable as possible, would conflict with that of the State, and would be at variance with the views of the Governor, or those appointed by him to superintend its affairs. These considerations have had their due weight and influence with the committee. The State should have a check upon the mal-administration of an Institution of this character.



## EMPLOYMENT OF CONVICTS.

In the car shop building, which is in a fine condition, we find about thirty hands employed in building break, box, stock and platform cars, under the direction of an experienced and excellent mechanic. The work turned out of this department, is extremely well executed. Your committee are of opinion, that this branch of labor properly conducted, would yield a handsome profit to the State.— We therefore recommend an increase of workmen, and the abandonment of those branches of labor heretofore unprofitable, and the surplus thus left, to be applied to augment the capital already invested in the car department.

In the wheelwright business, we find about ten hands employed, amply provided with suitable tools, but unsupplied with the necessary quantity of proper timber. We are of the opinion, that it would be an advantage to the State, to curtail this branch of labor as well as cabinet making. The manufactured articles of these two branches, do not appear to command a ready sale.

The shoeshop and tanyard, are under the charge of a first rate workman, employing several operatives. The articles manufactured here, are of excellent quality; but, your committee, in view of the high prices of tan bark and raw hides, are of the opinion it would be a saving to the State, in point of economy, to abandon the tanning of all kinds of heavy leather.

An excellent engine of twenty horse power is connected with the wood shop as a motive power; but, inasmuch as horses and mules are indispensably necessary to the Institution, they could be employed in lieu thereof, to the saving of the item of fuel. We recommend that the Governor be authorized to dispose of it and its appurtenances, at such amount as to realize to the State, if possible, its cost.

## PENITENTIARY BUILDINGS.

All the buildings attached to the Penitentiary, except the car and shoeshop, are in a decayed condition. The roof of the cell is unsound, and leaks very much. The storehouse, in which manufactured articles are deposited, is also in a dilapidated condition. A due regard to the interest of the State, and the health of the convicts, demands that the necessary repairs be undertaken, under the supervision of the Principal Keeper, and the recommendation of the Governor.

## RAIL ROAD CONNECTION.

Your committee approve very highly of the plan of connecting the Institution immediately, with the Rail Road; in the facilities it will offer, it will prove a most desirable auxiliary to

the manufacturing department. The work, as far as completed, appears to be in good order.

#### FINANCIAL CONDITION.

The monetary condition of the Penitentiary has been, ever since its establishment, a source of mortification, and regret to its friends. An examination of the books of the Institution, discloses the fact, that since October the 1st, 1846, up to the present time, the sum of eleven thousand dollars has been entirely lost to the State. The credit system, with the practice of retailing articles, has been the source of this evil; under its operation, a considerable amount due to the Institution, is now outstanding, and cannot possibly be rendered available in time to meet the demands upon the Penitentiary now due. These should be collected as soon as possible; and as a remedy in future for this evil, your committee recommend the abandonment of this system, and a rigid enforcement of the cash system; any departure from which, should render the Principal Keeper, personally responsible.

We would remark that J. S. Gholston, late book-keeper, is in arrears one hundred and ninety-two dollars and seventy-four cents; but as the committee have carefully examined the books, they incline to the opinion, that it is an inadvertent mistake against himself, and therefore recommend the above amount to be passed to his credit.

From the accompanying exhibit of the book-keeper, and a few other items, which are herewith submitted, the liabilities of the Institution are \$17,610 31. As an offset to this, the following amount of available assets may be deducted \$3,963 40, leaving a balance of \$13,646 61 of outstanding debts against the Penitentiary, which must be met in some manner or other.

Your committee, seeing no other means to raise this indispensably necessary amount, than by specific appropriation; recommend the passage of a bill to appropriate money for this purpose. All of which is respectfully submitted.

Signed by the Committee.

Mr. McCurdy from the Committee on the Penitentiary made the following minority report:

The undersigned members of the Joint Committee on the Penitentiary beg leave to submit the following minority report:

We concur with the majority report that the officers of this Institution have discharged their duty under existing arrangements, but we are of opinion that the interest of the State, and as a consequence the interest of the tax payers demand a radical change in the officering the Penitentiary. It is the experience of all practical mechanics that no business can be well managed without a general head or con-

ductor who shall be responsible for the conduct of all the various interests of the concern. It is the decided opinion of the undersigned that the mode of appointing officers of the Penitentiary will always prove detrimental to the prosperity of the institution in a pecuniary point of view.

The principal keeper should be appointed by the Governor, and he should be allowed to appoint his subalterns and held responsible for their conduct, with the power to discharge for good cause, to be judged of by himself. We would not allow him unlimited power as to the number of his assistants, but he should be allowed a certain number with the liberty to curtail, if expedient in his judgment. While there is a principal keeper, assistant, book keeper, and inspector, each appointed by the Governor, subject to removal only by him, it is impossible that the business and interest of the State can be guarded as well as if one capable man was appointed as principal and made responsible for the whole government and interest of the institution.

We concur in the opinions expressed under the head of discipline and confinement, as expressed by the majority report.

We dissent from the views expressed by the majority under the head of Leasing.

We believe the interest both of the State and the Convicts would be promoted by leasing the Penitentiary. Any one accustomed to labor at any of the various departments carried on in the Penitentiary, is well aware of the facts that the health and happiness of the laboring man is always promoted by regular and constant employment at the same pursuit.

It would be to the interest of the Lessee to have the convicts classed off, or set apart to an employment constant, because proficiency would be more readily and certainly be obtained. It is admitted by the majority that the Institution had cost the State the sum of eleven thousand dollars for a great number of years. This large sum might in a great measure be saved to the State by leasing the Institution now and the State might, and would be saved any expense on account of this Institution, so soon as it could be put in good condition. The undersigned are decidedly of opinion, that to lease the Penitentiary under the proposition of Mr. Zachary, would be a saving to the State of at least \$25,000 in the time proposed by him to take the Penitentiary. This fact will, we think, fully appear by reference to the majority report, and the accompanying exhibits thereto attached. They ask for the sum of sixteen thousand dollars for the support of, and to pay the debts of the Penitentiary for the next two years. That sum too, seems to be necessary in addition to the available assets of the Institution, which assets amount to more than five thousand dollars. The Penitentiaries in

several of the States in the Union. have been leased, and the system has not, in a single instance, so far as the undersigned are aware, proved a failure.

We would therefore ask the passage of the bill to lease the Penitentiary, with such amendments as may be thought best by this House.

JOHN W. YOPP.  
JESSE STEPHENS.  
F. W. McCURDY,  
THOS. C. TRICE.  
L. L. HARRALL.

The undersigned concur in so much of the minority report as relates to the appointment, and responsibility of the officers of the Penitentiary; but cannot but believe that there has been some neglect of duty *somewhere* in the management of the Institution, or the loss, which all agree has annually accrued to the State, could never have occurred.

We also differ with the majority in the case of G. J. Bulloch, the severity of the punishment always depending on the feelings of the convict, as these have been created or modified by previous education, habits, &c., while the duties assigned to him we believe, have, and can be proved to have resulted in positive benefit, and saving to the State.

JOHN R. WILSON,  
One of the Committee.  
S. LAWRENCE,  
One of the Committee.

On motion of Mr. McCurdy, the order was suspended, and the House took up the report on the bill to be entitled an act to lease and let the Penitentiary of the State of Georgia on certain conditions therein mentioned.

Mr. Mobley moved to lay the bill upon the table for the balance of the Session; and after some discussion Mr. Alread moved the previous question.

The call being sustained, the question was ordered to be put; which was to lay the bill upon the table for the balance of the session.

Upon which question Mr. Gartrell required the yeas and nays to be recorded, which are : yeas 30, nays 68.

Those who voted in the affirmative are Messrs.

Benj. Cleveland,	Griffin,	Manor,
Crittenden	Hatton,	Mobley,
Denham,	Headen,	Moughon
Dodds	Henderson,	Pickett,
Eberhart,	Keith,	Poole,
Fields,	Latham,	M. Reid,
Fish	Linn,	Rumph,
Gartrell,	Masters	W. R Smith,

W. Smith,  
Stokes,

J. Taylor,  
J. H. Walton,

Whitworth  
Young,

Those who voted in the negative are Messrs.

Adams	Hamilton	Rowell,
Alread	Hood	Shewmake,
Armstrong	Irwin	Stapleton,
Bostwick	Jones,	Stephens
Carlton,	Mangham	L. S. Stewart
Clark,	Martin,	J. Stewart,
W. C. Cleveland,	Maxwell	Strickland,
Cody,	McCurdy,	Strother,
Crawford	McDougald,	Sweat
Dawson	McGregor,	Thornton,
Dubignon,	McLean,	Trice,
Dial,	McMullin,	Turner,
Fannin,	McWhorter,	W. A. Walton,
Green,	Moody	Walker,
Gross,	Nichols.	West,
W. P. Harden,	Paris	H. L. Williams,
Haynie	Pottle,	A J Williams
Harris,	Powell.	Williamson.
Harrison,	Powers,	Wilson,
Harrall	Redding,	Williford,
Hardeman,	G. R. Reid,	Woodward,
Hawkins,	Richardson,	Yopp.
Hardison	Riley,	

So the motion was lost.

Mr. Mobley moved to strike out "ten dollars," in the 3d Section, and insert, "the amount at which it was bid off in lieu thereof;" which was agreed to.

Mr. Mobley offered the following amendment; which was agreed to:

"Provided if said lease should expire at a time when the Legislature is not in session, then the said lease shall continue until the Legislature shall dispose of said Penitentiary by law, under the same rules, regulations and restrictions."

Mr. Young offered the following amendment; which was agreed to:

"*And be it further enacted,* That it shall be the duty of his Excellency, the Governor, to advertise, for at least thirty days, in two or more public Journals, that the Penitentiary will be leased to the highest bidder, for the term of six years."

The report, as amended, was agreed to; and upon the question "Shall this bill pass?" the yeas and nays were re-

quired to be recorded at the call of Mr. Poole, and are : yeas 65, nays 30.

Those who voted in the affirmative are Messrs.

Adams,	Hardison	Riley
Armstrong,	Hood	Shewmake,
Bostwick,	Irwin,	W Smith
Carlton	Jones,	Stapleton,
Clark	Mangham	Stephens,
W. C. Cleveland,	Martin	L S Stewart
Cody,	Maxwell,	Stokes,
Dawson,	McCurdy,	Strickland,
Dodds	McDougald,	Strother,
Dubignon,	McGregor,	Sweat.
Dial	McLean,	Thornton,
Fannin.	McMillan	Trice,
Green	McMullin,	Turner,
Griffin,	McWhorter.	W. A. Walton,
Gross,	Mobley	West,
W P Harden,	Moody,	A J Williams
J. Harden,	Nichols	Wilson
Haynie	Paris,	Williford,
Harris,	Pottle,	Woodward
Harrison,	Redding,	Young,
Harrall	G R Reid	Yopp,
Hardeman,	Richardson,	

Those who voted in the negative are Messrs.

Alread,	Hawkins,	Moughon
Andrews,	Hamilton,	Pickett.
Calloway,	Headen,	Poole,
Benj. Cleveland,	Henderson,	M Reid,
Denham,	Keith	Rowell
Eberhart,	Latham.	W. R. Smith,
Fields,	Leverett,	J. Taylor,
Fish,	Masters,	J H Walton
Gartrell,	Manor,	Whitworth,
Hatton,	McComb,	H L Williams

So the bill passed.

On motion of Mr. McWhorter, the Clerk was directed to transmit the foregoing bill to the Senate immediately.

The following message was received from the Senate by Mr. Moore, their Secretary :

*Mr. Speaker*—The Senate has passed the following bills, to wit :

A bill to authorize James Herty, of Baldwin county, to sell by retail, his present stock of Drugs and Medicines, without incurring penalty or forfeiture.

A bill to repeal an act entitled an act, to alter and amend the Road Laws, so far as refers to McIntosh county, so as to relieve the hands subject to road duty, who are residents on Sapelo Island, from working the roads on the main land, approved 22d January, 1852. Also,

A bill to authorize James J. Garrison, of the county of McIntosh, to practice medicine and charge compensation for the same. Also,

A bill to amend an act, entitled an act, to exempt certain persons in McIntosh county, from road duty, approved January 19th, 1852, so as to make it general in its operations, so far as McIntosh county is concerned. Also,

A bill to add the county of Carroll to the 4th Congressional District ; the county of Wilkinson, to the 1st Congressional District, and the county of Twiggs to the 3d Congressional District.

Mr. Stapleton, from the Committee on Enrolment. reported the following bills as duly enrolled :

A bill to be entitled an act to incorporate the town of Homesville, in the county of Appling, and to render the county site permanent at that place. Also, to amend the several acts in relation to the City of Augusta, and the Augusta Canal Company, and to confer certain powers relative thereto.

A bill to be entitled an act to alter and amend the several acts of this State, providing for the organization of land Courts so far as relates to the county of Montgomery.

The House took up the report of the committee on the bill to be entitled an act for the removal of the seat of Government to the city of Macon.

Mr. Walker moved to postpone the bill until morning; which motion was lost.

Mr. Hardeman offered the following as a substitute, to wit :

A bill to be entitled an act for the removal of the seat of Government to Macon, and for other purposes.

Mr. Masters moved to strike out "Macon ;" upon which motion the yeas and nays were required to be recorded, upon the call of Mr. Masters, and are : yeas 42, nays 59.

Those who voted in the affirmative are Messrs.

Alread,	Crawford,	J Hardin
Andrews,	Dodds,	Hayne,
Clark,	Eberhart	Headen,
Benj. Cleveland,	Fields,	Henderson,
Clements	Gartrell	Keith,

	McCurdy,	Riley,
Latham,	McGregor,	W R. Smith,
Leverett,	McMillan,	Wm. Smith,
Linn.	Nichols,	Stokes,
Mangham,	Paris,	Trice,
Martin	Pickett	Turner,
Masters,	Poole,	Whitworth,
Manor,	Pottle,	H L Williams
McComb	M. Reid,	Young.

Those who voted in the negative are Messrs.

Adams,	Hawkins,	Rumph,
Armstrong,	Hardison,	Shewmake,
Brown,	Hamilton	Stapleton
Calloway	Hood,	Stephens,
W. C. Cleveland,	Irwin.	J. Stewart,
Cody,	Jones,	Strickland
Crittenden,	Maxwell,	Strother,
Dawson,	McLean	J Taylor
Dubignon	McMullin,	Thornton,
Dial,	McWhorter,	J. H. Walton,
Fannin,	Mobley,	W A. Walton.
Green	Moody.	Walker,
Griffin	Moughon	West,
Gross.	Phillips,	A J Williams
W. P. Harden,	Powell	Williamson,
Harris,	Redding,	Wilson,
Harrison.	G R Reid	Williford,
Harrall	Richardson	Woodward,
Hatton,	N. Robinson,	Yopp.
Hardeman,	Rowell	

So the motion was lost.

Mr. McComb offered the following amendment, as an additional section, to wit :

*"Be it further enacted,* That the Governor be, and is hereby authorized, to appoint three or more Commissioners to assess the property of each citizen of the city of Milledgeville, and the extent of damages each individual's property may suffer, and the same be paid to each citizen according to the depreciation of said property, out of the Treasury of the State of Georgia."

Which was disagreed to.

Mr. Walker offered the following amendment, which was accepted, to wit :

*"Be it further enacted,* That when the Governor shall have sufficient evidence that the necessary steps on the part of the citizens of Macon shall have been taken to insure the



erection of a State House, it shall be his duty to advertise for plans and specifications of a building commensurate with the wants, and elevated position of this State, and said plans and specifications shall be submitted to a committee of five competent persons to be appointed by the Governor, which Committee shall make choice of such plan, if any suitable be offered, as in their judgment will fully answer the purposes designed by the erection of such building."

Mr. McComb moved to lay the bill and substitute with amendments, on the table for the balance of the session.

Upon which motion Mr. McComb required the yeas and nays to be recorded, which are : yeas 42, nays 55.

Those who voted in the affirmative, are Messrs.

Calloway.	Mangham,	N. Robinson,
Benj. Cleveland,	Martin	Rowell
Clements,	Masters	W R Smith,
Denham,	Manor,	L S Stewart,
Fannin.	McComb	Stokes,
Fish	McDougald,	Sweat,
Gartrell,	McLean,	J. Taylor
W. P Harden	McMillan,	Trice,
Haynie	Mobley	Turner
Hamilton,	Phillips	W A Walton
Headen,	Poole,	Walker
Keith,	Pottle,	H. L. Williams,
Latham,	M. Reid,	Wilson,
Linn	Riley.	Young.

Those who voted in the negative are, Messrs.

Adams.	J. Hardin,	Moughon
Alread,	Harris,	Nichols
Andrews	Harrison,	Paris,
Brown,	Harrall,	Pickett,
Clark,	Hardeman	Powell,
W. C. Cleveland,	Hays,	Redding,
Cody,	Hardison.	G. R. Reid
Crittenden	Henderson,	Richardson,
Dawson	Hood	Rumph,
Dodds,	Irwin,	Shewmake,
Dubignon	Maxwell,	Stapleton
Eberhart,	McCurdy,	Stephens,
Fields.	McGregor,	J. Stewart ,
Green	McMullin,	Strickland,
Griffin,	McWhorter	Strother
Gross,	Moody,	Thornton,

J. H. Walton,	A J Williams	Woodward.
West.	Williford,	Yopp.
Whitworth.		

So the motion was lost.

Upon the question "Shall this bill now pass?" the yeas and nays were required to be recorded, and are: yeas 47, nays 58.

Those who voted in the affirmative are, Messrs

Adams,	Hardison	Rumph,
Brown	Hood,	Shewmake,
Cameron,	Irwin	Stapleton,
Carlton,	Jones,	Stephens.
Clark	Maxwell,	J. Stewart
W. C. Cleveland,	McCurdy,	Strickland,
Crittenden,	McGregor,	Strother,
Dawson	McMullin,	Thornton
Dodds,	Moody,	J. H. Walton,
Dubignon,	Moughon	Whitworth,
Green	Paris,	A J Williams
Griffin,	Pickett,	Williamson
Gross,	Powell	Williford,
Harrison,	Redding,	Woodward,
Harrall,	G R Reid	Yopp.
Hardeman,	Richardson,	

Those who voted in the negative are, Messrs.

Alread,	Haynie	McWhorter
Andrews,	Harris,	Mobley,
Armstrong,	Hays,	Nichols,
Bostwick.	Hamilton,	Phillips
Calloway	Headen,	Pottle,
Benj. Cleveland.	Henderson,	M. Reid,
Clements	Keith,	Riley
Cody,	Latham,	N. Robinson,
Crawford	Leverett,	Rowell,
Denham,	Linn,	W. R. Smith,
Dial,	Mangham,	L. S. Stewart,
Eberhart	Martin	Stokes
Fannin,	Masters	Sweat
Fields,	Manor	J. Taylor,
Fish,	McComb	Trice,
Gartrell,	McDougald,	Turner,
W P. Harden,	McLean,	W. A. Walton,
James Hardin	McMillan,	Walker

West,  
I L Williams

Wilson,

Young,

So the bill was lost.

On motion of Mr. Cleveland, of Habersham, the House adjourned until half-past 7 o'clock, P. M.

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### HALF-PAST SEVEN O'CLOCK, P. M.

The House met pursuant to adjournment.

On motion of Mr Thornton the House proceeded to read Senate bills the first time, and House bills, to wit :

A bill to be entitled an act to incorporate the Dahlonga Testing and Mining Company, under such process as they may deem best, for Gold Copper and other minerals peculiar to the gold region of Georgia.

A bill to be entitled an act to provide for the election of Marshall and Deputy in the town of Athens, and for their removal from office.

A bill to be entitled an act to permit George M Tutt and George W. Newman to marry again, and for their relief.

A bill to be entitled an act to authorize the payment of certain accounts therein specified.

A bill to be entitled an act to repeal so much of the 1st section of an act entitled an act to appoint county treasurers, and define their duties, approved 24th December, 1825, as relates to the appointment of said offices by the Justices of the Inferior Courts of the State, and to authorize their election by the people, so far as relates to the counties of Floyd, Madison and Gwinnett.

A bill to be entitled an act to authorize guardians of minors to invest surplus funds belonging to their wards in slave property, under certain conditions; and Ann F Whitfield of the county of Troup, administratrix on the estate of Horatio Whitfield, deceased, to sell or buy land on account of said estate.

A bill to be entitled an act to alter and amend the several acts of this State, so far as relates to the county of Glynn.

A bill to be entitled an act to extend an act to allow the Sheriff of Chatham county certain fees, which are not provided for by law, and to allow him to appoint such special Deputy Sheriffs in certain cases, and for other purposes, so as to confer the same benefit and powers upon the Sheriff of Bibb county.

A bill to be entitled an act to amend an act approved January 9th, 1852, to levy and collect a tax for each of

the political years 1852 and 1853, and thereafter until repealed

A bill to be entitled an act to change the line between the counties of Wilkes and Taliaferro, also to change the line between certain other counties therein designated.

A bill to be entitled an act to authorize and require the Governor to appoint four additional Trustees for the Deaf and Dumb Asylum at Cave Spring, in the county of Floyd, and to authorize said Asylum to receive pupils from the age of seven to twenty four years, and to extend the term of their pupilage, and for other purposes.

A bill to be entitled an act to incorporate the Georgia Gold Company of Northern Georgia.

A bill to be entitled an act to authorize Isaac E. Bower to build a bridge across Ichawaynochaway, and charge toll for crossing the same, and to authorize Lynch to establish a ferry across Connasauga river, and for other purposes.

A bill to be entitled an act to amend an act entitled an act to incorporate the Carrollton Railroad company, approved January, 1852.

A bill to be entitled an act to compensate the Grand and Petit Jurors for the county of Irwin, and to provide for the payment of the same.

A bill to be entitled an act to protect the owners of lands or tenements against intruders.

A bill to be entitled an act in relation to executors, administrators and gurdians, for better protection of the estates of deceased persons and orphans.

A bill to be entitled an act to alter and amend an act to prescribe the mode of laying out private ways, and for other purposes, approved January 17th, 1852.

A bill to be entitled an act to incorporate the Southern Central Agricultural Society of Georgia, and to confer certain powers and immunities on the same.

A bill to be entitled an act to regulate the sessions of the Courts of Ordinary in the county of Camden,

A bill to be entitled an act to revive an act to incorporate the Florence Bridge Company, assented to 29th December 1838.

A bill to be entitled an act for the relief of Samnel McBee of Dade county.

A bill to be entitled an act to amend the act relative to ordinaries.

A bill to be entitled an act to incorporate the Chattahoochee Ridge Railroad company.

A bill to be entitled an act to charter the Savannah and Brunswick Railroad.

A bill to be entitled an act to change the line between the counties of Cass, Polk and Paulding, and to add part of the counties of Polk and Paulding to the county of Cass.

A bill to be entitled an act to authorize the Justices of the Inferior Courts of this State to bind out any free negro, mulatto or free person of color, between the ages of five and twenty-one years.

A bill to be entitled an act to change the name of Mary Francis Tisdale of the county of Putnam, to that of Mary Francis Kolb, to legitimize the same, and for other purposes.

A bill to be entitled an act to change the line between the counties of Floyd and Polk, and the line between the counties of Campbell and Polk, and to define the same.

A bill to be entitled an act to incorporate the Upson Female School, located at Thomaston, with power to appoint a President and Directors, confer collegiate degrees, and for other purposes, &c.

A bill to be entitled an act to establish a ferry on Chattahoochee river, in Early county.

A bill to be entitled an act to amend the 32d section of the Judiciary laws of this State, relating to filling affidavits of illegality, and the trial of claims.

A bill to be entitled an act to compensate the Grand Jurors of the county of Lumpkin, &c.

A bill to be entitled an act to incorporate the city of Covington, in the county of Newton—to extend the corporate limits thereof, and for other purposes therein mentioned.

A bill to be entitled an act to add certain lots of land therein named to the county of Sumter.

A bill to be entitled an act to amend and declare the time, intent and meaning of an act passed during the present session of the General Assembly, entitled an act to lay out and organize a new county from the counties of Franklin and Elbert, and to provide for the organization of the same, for the completion of the Grand and Petit Juries at the next term of the Superior and Inferior Courts of the counties of Elbert and Franklin, and to authorize executors, administrators and guardians, residing in the county of Dougherty, to make their returns to the Ordinary of the county of Baker, or of whom said Ordinary has jurisdiction, to make their returns, and transact their business in relation to the several estate they represent, with the Ordinary of Dougherty county.

A bill to be entitled an act to alter and amend an act entitled an act to compel all persons taking up runaway slaves to deliver them up to jailors, and for other purposes therein mentioned, assented to 22d February, 1850.

A bill to be entitled an act to alter and change the county line between the counties of Tattnall and Liberty, so as to change the residence of Everett M. G. Stubbs, a citizen of Liberty county, to the county of Tattnall.

A bill to be entitled an act to amend the several acts incorporating the town of Greensboro, to extend the corporate limits of said town, to vest in the commissioners of said town the power to grant license to retail spirituous liquors within the corporate limits of said town, and to regulate the same and for other purposes therein mentioned.

A bill to be entitled an act to authorize the Trustees of the Bibb County academy to sell or lease the lots of ground and buildings belonging to said trustees, now occupied as a male Academy.

A bill to be entitled an act requiring testamentary Trustees to make annual returns.

A bill to be entitled an act to reduce the Sheriffs' bonds of this State, so far as concerns the county of Effingham.

A bill to be entitled an act for the Government of Solicitors General in certain cases therein named, and to provide for the payment of the fees of witnesses.

A bill to be entitled an act for the taking the answers of parties to suits in this State, when such parties reside without the limits of the State, and for other purposes.

A bill to be entitled an act to incorporate a company, under the name and style of the Savannah, Rabun Gap & Dahlonega Railroad company.

A bill to be entitled an act for the relief of Morgan Morris, of the county of Warren.

A bill to be entitled an act to amend an act to incorporate the Augusta and Waynesboro Railroad, passed 31st December, 1838, and amend the acts amendatory thereof.

A bill to be entitled an act to repeal an act entitled an act for the relief of a portion of the citizens of Wayne county, approved the 22d day of December, 1847.

A bill to be entitled an act to extend the provisions of the acts relating to lunacy and idiocy to the case of persons incompetent to conduct their own business and for other causes.

A bill to be entitled an act to alter and amend the 3d section of the 3d article of the Constitution of the State of Georgia.

A bill to be entitled an act to extend the charter of the Mechanics Bank, and to alter and amend the act incorporating the same.

A bill to be entitled an act to authorize the Judges of the Superior Courts, as Chancellors, to make certain orders and decrees.

A bill to be entitled an act to amend the Judiciary act of 1799, so far as to perfect service in actions of ejectment for the recovery of land and mesne profits, and to amend an act entitled complaints for the recovery of real estate and for mesne profits.

A bill to be entitled an act to require all promises, acknowledgements and admissions of debts, made after the Staute of Limitations has commenced running, to be reduced to writing, or some note or memorandum thereof made in writing, and subscribed by the person or persons making the same, or some other person, thereunto by him lawfully authorized, in order to revive said notes or debts.

A bill to be entitled an act to regulate the pilotage of the Port of Darien, point out the mode of electing commissioners, and to establish the fees of pilots, and for other purposes herein mentioned.

A bill to be entitled an act to change the name of Griffin Collegiate Seminary.

A bill to be entitled an act to charter the Charleston and Savannah Railroad, and to authorize suits against the same, and certain other Railroad Companies therein specified.

A bill to be entitled and an act to alter and amend the 2d section of the 4th article of the constitution of this State, and to alter and amend said Constitution in all its parts, which may conflict with the provisions of this amendment.

A bill to be entitled an act explanatory of the 12th and 13th section of the 9th division of the Penal Code.

A bill to be entitled an act to make Edward Young Hill Dale, of the county of Carroll, the heir at law of Jonathan Polston of said county.

A bill to be entitled an act to incorporate the Bainbridge Cemetery, in the county of Decatur, and to appoint trustees for the same.

A bill to be entitled an act to compel Judicial officers to turn over to their successors in office books received from the State.

A bill to be entitled an act to extend the corporate limits and jurisdiction of the city of Marietta in Cobb county, and to add the territory therein described to said city.

A bill to be entitled an act to regulate the granting of new trials

A bill to be entitled an act to repeal all laws consolidating offices of Receivers of Tax Returns and Tax Collectors in the county of Clarke.

A bill to be entitled an act to incorporate the Griffin Baptist Church.

A bill to be entitled an act to alter and amend the 7th section of an act entitled an act to carry into effect the mended Constitution of this State in reference to the Ordinaries of said State, and for other purposes, assented to January 21st, 1852, so far as to authorize the Ordinary of Polk county to keep his office closed, except on Tuesdays and Fridays in each and every week.

A bill to be entitled an act to incorporate the Atlanta

Medical College, and for other purposes therein mentioned.

A bill to be entitled an act to change the lines between the counties of Monroe and Crawford, and also to change the lines between other counties therein mentioned.

A bill to be entitled an act to incorporate the Talmage Normal Institute, located in the town of Irwinton, and appoint trustees for the same, and for other purposes.

A bill to be entitled an act to incorporate the Ladies, Hebrew Benevolent Society of Savannah.

A bill to be entitled an act to appoint an additional number of trustees for the Bainbridge Academy in the county of Decatur.

A bill to be entitled an act to incorporate Antioch Baptist Church, in the county of Washington, and to appoint trustees for the same, and to incorporate other churches and Academies therein named.

A bill to be entitled an act to incorporate the town of Vienna in the county of Dooly, and to appoint commissioners for the same.

A bill to be entitled an act to incorporate the Baptist Female Orphan School.

A bill to be entitled an act to amend an act entitled an act to authorize the incorporation of Joint Stock Companies for the construction of macademized, graded or plank roads, passed 23d February, 1850.

A bill to be entitled an act to incorporate the Georgia Western Rail Road Company, and to confer on the same certain powers and privileges therein mentioned.

A bill to incorporate the German Fire Company of Savannah.

A bill to be entitled an act to incorporate Bellville Factory.

A bill to be entitled an act to incorporate the Orphan's Home of the Protestant Episcopal Church in Chatham county.

A bill to be entitled an act to amend an act entitled an act to incorporate the town of Oglethorpe, and to alter and amend an act to incorporate the town of Oglethorpe in the county of Macon, approved January 22d, 1852.

A bill to be entitled an act to amend the act of 4th December, 1799, in relation to the manner of arriving at the damages sustained by the laying out of public roads in this State, and for other purposes, so far as relates to the county of Floyd.

A bill to be entitled an act to amend an act to incorporate the city of Griffin, assented to December 28th, 1843, and to repeal an act to alter and amend the several acts incorporating the city of Griffin, assented to February 21st, 1850.

A bill to be entitled an act to incorporate a Bank in the



city of Griffin, to be called the Interior Bank of the State of Georgia.

A bill to be entitled an act to change the name of the Perry Baptist Female Seminary, located at Perry, Houston county, Georgia, to that of Houston Female College, and to incorporate the same, and confer certain privileges upon the Board of Directors therein named.

A bill to be entitled an act to require the Receivers of Tax Returns in the several counties of this State to ascertain the number of children in their respective counties between the ages of eight and sixteen years, and for other purposes therein named.

A bill to be entitled an act in addition to and amendatory of the several attachment acts now of force in this State.

A bill to be entitled an act to incorporate the Marietta Guards, and to grant certain immunities and privileges to members of the same.

A bill to be entitled an act to amend an act passed on the 26th day of December, 1837, entitled an act to regulate the mode of partitioning lands and tenements in certain cases in the State of Georgia.

A bill to be entitled an act to add lots number 85 and 86, seventh district, originally Baldwin, now Jones county, to the county of Bibb; also to change the line between the counties of Franklin and Hart, and to change the residence of certain persons therein mentioned.

A bill to be entitled an act to compensate Petit Jurors in the county of Heard, and provide a fund for the same.

A bill to be entitled an act to amend an act incorporating the town of Calhoun, in Gordon county, approved January 12th. 1852, and to extend the corporate limits of the city of Augusta.

A bill to incorporate the Submarine Telegraph Company.

A bill to be entitled an act to alter an act more effectually to prevent fraud in elections in this State, and to detect and punish the same, approved January 27th, 1852, so far as relates to the oath to be taken by the superintendents of the elections.

The following bills were taken up, read a second time, and ordered to be committed for a third reading, to-wit

A bill to be entitled an act to authorize the Governor to issue State Bonds in lieu of the outstanding bonds of the Central Bank.

A bill to be entitled an act to increase the jurisdiction of Justices of the Peace of Milledgeville, and to increase the fees when the principal exceeds thirty dollars.

A bill to be entitled an act for the relief of Wm. Eddins, William H. Stiles, Joel T. Rowland and Simpson Fouche.

A bill to be entitled an act to change the name of the Southern and Western Female College.

A bill to be entitled an act to prevent the poisoning and destruction of fish in the county of Dooly.

A bill to be entitled an act to authorize Samuel L. Hald, a cripple, of the county of Gwinnett, as an itinerant trader, to vend any goods, wares or merchandise within the sixth Congressional District, without obtaining license for the same.

A bill to be entitled an act to change the line between the counties of Pike and Spaulding, so as to include the residence of Uriah Askew, of the county of Spaulding, in the county of Pike, and to define the line between said counties.

A bill to be entitled an act to limit the jurisdiction of the city of Savannah, so far as relates to the regulation of the market, assented to December 13th, 1809.

A bill to be entitled an act for the relief of William J. Ridgill, of the State of Alabama.

A bill to divorce Betsy Ann McDowell from her husband Lemuel McDowell, and invest her with all the rights and privileges as though she had never been married.

A bill to be entitled an act to alter and amend an act to incorporate the Cassville Female College, located in the town of Cassville, Georgia, and to incorporate the Cherokee Baptist College, located at the same place, and to confer on the commissioners of Cassville the power to grant license to retail ardent spirits, and for other purposes therein named.

A bill to be entitled an act to incorporate a fire company in the city of Savannah, to be known by the name and style of Young America.

A bill to be entitled an act to alter and amend an act to levy and collect a tax for 1852 and 1853, and thereafter until repealed, approved January 9th, 1852.

The following bill was taken up, read a second time and ordered to be engrossed, to-wit:

A bill to be entitled an act to exempt certain individuals from road and jury duties.

The following bills of the House were taken up and read a second time and ordered to be committed to a third reading, to-wit:

A bill to be entitled an act to repeal a part of the third section of an act entitled an act for the government and management of the Western and Atlantic Rail Road.

A bill to be entitled an act for the relief of T. E. C. Butts.

A bill to be entitled an act to allow Patrick Goff of the county of Lee, to establish a ferry across Flint River on his own land.

A bill to be entitled an act to authorize the Governor to draw his warrant upon the Treasurer for the sum of one hundred and thirty-nine dollars, poor school fund, for Irwin county.

A bill to be entitled an act to authorize and require Sheriffs, Coroners, Clerks of the Superior and Inferior Courts and Ordinaries to advertise in certain newspapers.

A bill to be entitled an act to give the election of the county treasurer of the county of Gwinnett, to the people.

A bill to be entitled an act for the benefit of John A. Morris, late tax collector of the county of Montgomery.

A bill to be entitled an act to alter and change the line between the counties of Harris and Troup.

A bill to be entitled an act to allow widows of persons dying intestate to choose and select their respective portions of the negroes of such estates, provided the same can be done without exceeding their distributive shares.

A bill to be entitled an act to incorporate a bank under the name and style of the Farmers and Merchants Bank of Georgia, at Rome.

A bill to be entitled an act for the relief of Nathaniel Mangum of the county of DeKalb, and to appropriate to said Mangum a sum of money therein named.

A bill to be entitled an act to authorize John W. Pate, a cripple man, of the county of Washington, to peddle goods, wares and merchandize within said county of Washington without license, and without being subject to pay any tax therefor.

A bill to be entitled an act to compel persons living in the county of Wayne to give in and pay their taxes in said county for the property they may own in the State.

A bill to be entitled an act to incorporate the town of Magnolia, in Clinch county.

The following bill was taken up, read a second time and ordered to be engrossed, to wit :

A bill to be entitled an act to appropriate money to the Savannah Medical College.

Mr. Gartrell, from the Committee on Enrolment, reported as duly enrolled. a bill to be entitled an act to incorporate the town of Dallas, in the county of Paulding ; the town of Butler, in the county of Taylor ; the town of Montgomery in the county of Macon, and to amend the law incorporating the city of Albany, and to amend the law incorporating to town of Cartersville, in the county of Cass ; also a bill to be entitled an act to appropriate money for the purposes therein mentioned.

On motion of Mr. Riley, the House adjourned until tomorrow morning, half-past nine o'clock.

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WEDNESDAY, FEBRUARY 8th, 1854.

The House met pursuant to adjournment.

Mr. McDougald moved to reconsider so much of the Journals of yesterday as relates to the rejection of the bill to be entitled an act to extend the provisions of the act to abolish

the right of survivorship in joint tenants in this State ; which was agreed to.

On motion of Mr. McDougald, the bill was taken up and passed.

Mr. Dial moved to re-consider so much of the Journal of yesterday as relates to the bill to be entitled an act to incorporate a bank in the town of Fort Gaines, to be called the South Western Bank of Georgia.

Upon which motion the yeas and nays were required to be recorded, upon the motion of Mr. Dial, and are : yeas 26, nays 65.

Those who voted in the affirmative are, Messrs.

Alread,	Henderson,	Nichols
Andrews	Hood	M. Reid,
Crawford,	Keith,	Reynolds,
Dial,	Latham.	Riley,
Fields,	Leverett,	Trice
W P Harden,	Linn	Whitworth
Harris,	Maxwell,	Williford,
Hatton,	McWhorter,	Woodward.
Headen	Mobley,	

Those who voted in the negative are, Messrs.

Adams,	Hardeman,	N. Robinson
Arnold	Hays	Rowell
Armstrong,	Hardison,	Rumph,
Boatright,	Hamilton,	Shewmake,
Brown,	Irwin,	W R. Smith,
Calloway	Martin,	Stapleton,
Clark	Masters,	L S Stewart
Benj. Cleveland,	McComb	J Stewart,
Clements,	McCurdy,	Stokes,
Cody,	McDougald,	Strickland,
Crittenden,	McMullin	Strother,
Dawson,	Moody.	J. Taylor,
Denham,	Moughon	Thornton
Dodds ,	Paris,	J. H. Walton
Eberhart,	Phillips,	West
Fish	Pickett,	A. J. Williams,
Gartrell,	Poole,	H L Williams
Griffin,	Pottle	Williamson,
Gross,	Powell	Wilson,
Haynie,	Redding,	Young,
Harrison	G. R. Reid	Yopp.
Harrall,	Richardson	

So the motion was lost.

The following message was received from the Senate by Mr. Moore, their Secretary :

*Mr. Speaker*—The Senate has passed the following bills of the House of Representatives, to wit :

A bill to amend an act to make uniform a standard of weights and measures in this State. Also,

A bill to compel persons who own or may hereafter own land, improved or unimproved, in the county of Wayne, to give in and pay taxes for the same in said county of Wayne. Also.

A bill to amend an act to prevent controversies concerning the boundary of lands in this State. Also,

A bill to amend an act to incorporate the Habersham and Union Turnpike Company, and to grant certain privileges to the same, and for other purposes. Also,

A bill to appropriate a sum of money to John R. Jenkins of Pike county, for expenses and services therein mentioned. Also,

A bill to incorporate the Merchants and Planters Bank.—Also,

A bill to incorporate the City Bank, in the city of Augusta.

The Senate has also passed the following bills of the House of Representatives with amendments, in which they ask the concurrence of the House, to wit :

A bill to appropriate money to Morgan Kemp, former Sheriff of Marion county, for services rendered by him in the sale of certain fractional lots of land in the county of Marion for the State. Also,

A bill to amend an act entitled an act to prescribe and point out the mode of collecting Coroners' fees, passed December 22d, 1835. Also,

A bill to allow executors, administrators and guardians to resign their trusts on certain conditions. Also,

A bill relative to continuances in certain cases therein mentioned, and for other purposes.

The Senate has also concurred in the amendment of the House of Representatives to the bill of the Senate, to authorize and require the school commissioners of the several counties therein named, to pay teachers who taught poor children of said counties in 1852, and failed to file their accounts within the time prescribed by law.

The Senate has also receded from its amendment to the House of Representatives, for the relief of Levy Barty, an infirm and indigent person.

The Senate has also concurred in the amendment of the House of Representatives to the amendment of the Senate to the bill of the House, incorporating the Brunswick Improvement Company.

The Senate has also agreed to a resolution requesting our

Senators and Representatives in the Congress of the United States, to use their influence with the Postmaster General to establish a mail route from Waynesville to Waresboro. and that his Excellency the Governor be requested to transmit a copy of this resolution to our Representatives in Congress ; in which they ask the concurrence of the House of Representatives.

Mr. Irwin moved to reconsider so much of the Journals of yesterday as relates to the rejection of the bill to be entitled an act to amend the rent laws of this State ; which motion was agreed to.

On motion of Mr. Irwin, the same was taken up, read a third time and passed.

Mr. Cody moved to reconsider so much of the Journals of yesterday as relates to the bill to be entitled an act to amend the Patrol laws of this State ; which was agreed to.

Mr. McCurdy moved to reconsider so much of the Journals of yesterday as relates to the rejection of the bill to be entitled an act for the removal of the seat of Government to Macon.

The previous question was called and the call sustained.

Upon motion to reconsider the yeas and nays were required to be recorded, at the call of Mr. Stapleton, and are : yeas 58, nays 49.

Those who voted in the affirmative are Messrs.

Adams	Hardeman,	Stapleton,
Arnold,	Hardison	Stephens,
Boatright	Hood,	J. Stewart,
Brown	Irwin,	Stokes,
Calloway.	Maxwell,	Strickland,
Clark.	McCurdy	Strother,
W. C. Cleveland,	McGregor,	Sweat,
Clements,	McMullin,	Thornton
Crawford,	Mobley.	J H Walton,
Crittenden,	Moody,	Walker,
Dawson,	Moughon	West
Dodds,	Paris,	Whitworth,
Dubignon,	Phillips	A. J. Williams,
Green,	Pickett	Williamson,
Griffin,	Powell	Wilson
Gross	Redding,	Williford
W P Harden	G. R. Reid,	Woodward,
Haynie	Richardson	Yopp
Harrison,	Rowell	
Harrall,	Rumph,	

Those who voted in the negative are Messrs

Alread	Andrews,	Bostwick,
Anderson,	Armstrong,	Benj. Cleveland

Cody,	Keith,	Pottle
Denham,	Latham	M. Reid
Dial,	Leverett,	Reynolds,
Eberhart,	Linn	Riley,
Fields,	Mangham	N. Robinson,
Fish,	Martin	W. R. Smith,
Gartrell.	Masters	W Smith,
J. Hardin,	Manor	L S Stewart
Harris	McComb	J. Taylor,
Hatton,	McDougald,	Trice,
Hays	Mc Whorter	Turner,
Headen	Nichols,	H L Williams
Henderson	Poole,	Young

So the motion was agreed to.

Mr. Dial moved to lay the bill and amendments on the table for the balance of the session.

Upon which motion the yeas and nays were required to be recorded, upon the call of Mr. Harrison, which are : yeas 52, nays 43.

Those who voted in the affirmative are, Messrs.

Brown	Hardison	Reynolds,
Clark	Hamilton,	Richardson,
Benj. Cleveland,	Hood	Rowell,
W. C. Cleveland,	Jones,	W. R. Smith,
Clements	Martin	Stapleton,
Cody,	McComb	Strother,
Crittenden,	McCurdy,	Thornton,
Dawson,	McDougald,	Turner
Eberhart,	McGregor	Walker
Gartrell,	McMullin,	West
Gross,	McWhorter	A. J. Williams,
W. P. Harden,	Mobley,	H L Williams
J' Hardin,	Moughon	Williamson,
Haynie	Paris,	Wilson
Harrison,	Phillips,	Woodward,
Harrall,	Poole,	Yopp.
Hardeman	Pottle,	
Hays,	Redding,	

Those who voted in the negative are Messrs.

Adams	Arnold,	Crawford,
Alread	Armstrong,	Dubignon,
Anderson,	Bostwick,	Dial
Andrews.	Calloway,	Fields,

Fish	Maxwell	Stephens,
Griffin,	Manor,	J. Stewart,
Harris,	Moody	Strickland,
Hatton.	Nichols,	Sweat,
Headen,	Pickett,	Trice.
Henderson,	Powell	J. H. Walton,
Keith	G. R. Reid,	Whitworth,
Latham	M. Reid,	Williford
Linn,	Riley	Young,
Mangham,	Rumph	
Masters,	W. Smith,	

So the motion was lost.

On motion, leave of absence was granted to Messrs. Robinson, of Randolph, McLean and Hawkins.

The following message was received from his Excellency, the Governor, through Mr. DeGraffenreid, his Secretary :

*Mr. Speaker*—The Governor has signed and approved the following acts, which have been deposited in the office of the Secretary of State :

An act to authorize Warren Freeman, of the county of Bibb, to practice physic on the Homœopathic system and to charge and collect compensation for his services.

An act to incorporate the Baldwin Blues Loan Association, and the Macon Building and Loan Association.

An act to make penal the using of any poisonous substances in any of the water courses in the counties of Thomas and Worth for the purpose of poisoning and catching fish.

A act to remove an election precinct in the county of DeKalb.

An act to repeal an act approved December 26th, 1851, compelling Justices of the Peace of the 1030th District, G. M., of the county of Ware, to hold their Courts at Sweat and Jourdon's store, and for other purposes therein named.

An act to alter and amend the fifth section of an act to regulate the weighing of cotton and other commodities in this State approved 8th December, 1806.

An act to incorporate an Academy in the seventh District, in Randolph county, and appoint trustees for the same ; also to incorporate an Academy in Monroe county.

An act to change the time of holding the fall term of the Superior court of Bulloch county.

An act to reduce the official bond of the Sheriffs hereafter to be elected in the county of Twiggs from the sum of twenty thousand dollars to the sum of ten thousand dollars.

An act to incorporate the Grand Lodge Knights of Jericho, of the State of Georgia and for other purposes therein mentioned.



An act to change the line between the counties of Walker and Gordon, and describe the line between the counties of DeKalb and Fulton.

An act to allow certain persons therein named to administer oaths.

An act for the relief of Jacob Martin, of Forsyth county.

An act to amend an act entitled an act to improve the navigation of the Great Ogeechee River so far as the appointment of commissioners is concerned.

An act to prevent any person or persons from felling timber in or otherwise obstructing the current of Board Town Creek in the county of Gilmer and to punish offenders for the same.

An act to confer certain privileges upon Joseph Neely of the county of Thomas, and render him capable of transacting business for himself.

An act to authorize the Ordinary of Tattnall county to keep his office at his own residence.

An act to reduce the Sheriffs's bond of Decatur county.

An act to compel the Clerks of the Superior and Inferior Courts of the county of Appling to keep their offices at Holmesville, the county site.

An act to repeal an act entitled an act to provide for the compensation of Grand and Petit Jurors of the Superior and Inferior Courts of the county of Elbert and to repeal all former laws, approved December 14th, 1849, and to revive an act entitled an act to compensate the Grand and Petit Jurors of the Superior and Inferior Courts of the county of Elbert, and to provide for the payment of the same, and to repeal all previous acts upon that subject so far as relates to the county of Elbert, approved December 8th, 1841.

An act to incorporate the Oregon Steamboat Company of Georgia.

An act to compensate the Grand and Petit Jurors of Appling and Irwin counties.

An act to repeal so much of the 3d section of an act entitled an act to provide for the education of the poor, approved January 22d, 1852, as prevents the provisions of said act being extended to the county of Lumpkin, and that the provisions of said act be extended to said county of Lumpkin.

An act to compensate Grand and Petit Jurors of the county of Habersham.

An act to alter the sessions of the Supreme Court at Milledgeville and Gainesville, to change the times of holding the Superior Courts of the counties herein specified ; to attach the county of Carroll to the Coweta Circuit ; to make valid certain processes and proceedings in the Court of Common Pleas of the city of Augusta.

On motion of Mr. Hardeman, the reconsidered bill for the

removal of the seat of government from Milledgeville to the city of Macon, was taken up.

Mr. Stapleton moved to strike out the word "impartial," in the second section ; which motion was agreed to.

Mr. Stokes offered the following amendment, which was accepted, to wit :

*" And be it further enacted by the authority aforesaid, That in consideration of the removal of the Seat of Government as contemplated by this act, the said city of Milledgeville in her corporate capacity shall, as soon as said removal shall take place, become entitled to the present State House for a college."*

The previous question being called and sustained, the main question, which was the motion of Mr. Hardeman to adopt the substitute as amended in lieu of the original bill, was ordered to be put.

Upon the question of adopting said substitute the yeas and nays were required to be recorded, and are : yeas 55, nays 43.

Those who voted in the affirmative are Messrs.

Adams,	Hardison,	Stephens,
Andrews,	Hood,	J Stewart
Boatright,	Irwin,	Stokes,
Brown,	Jones,	Strickland
Clark,	Maxwell,	Strother.
Benj. Cleveland,	McCurdy,	Sweat,
W C Cleveland	McGregor,	Thornton,
Crittenden	McMullin	J H Walton,
Dawson,	Mobley,	W. A. Walton,
Dodds	Moody	Walker.
Dubignon	Moughon	West.
Dial,	Phillips,	A. J. Williams,
Green	Powell,	Williamson,
Griffin,	Redding	Wilson,
Gross	G R Reid	Williford,
James Hardin,	Richardson.	Woodward,
Harrison	Rumph,	Yopp.
Harrall	Shewmake,	
Hatton,	Stapleton	

Those who voted in the negative are Messrs.

Alread,	Denham,	Haynie
Arnold,	Eberhart,	Harris
Armstrong	Fields	Hays,
Clements.	Fish,	Hamilton,
Cody,	Gartrell,	Headen,
Crawford,	W P Harden	Henderson,

Keith	Nichols,	Wm. Smith,
Latham	Paris,	L S Stewart
Leverett,	Pickett	J. Taylor,
Linn	Poole,	Trice
Mangham	Pottle,	Turner
Martin,	M. Reid,	Whitworth,
Masters,	Reynolds	H. L. Williams,
Manor,	Riley	Young,
McComb	Rowell	
McWhorter,	W. R. Smith	

So the motion prevailed.

And upon the question, "Shall the bill now pass?" the yeas and nays were required to be recorded, and are : yeas 51, nays 51.

Those who voted in the affirmative are Messrs.

Adams,	Hardison,	Rumph,
Boatright	Hood	Shewmake
Brown,	Irwin,	Stapleton,
Clark,	Jones	Staten.
W C Cleveland	Maxwell.	Stephens,
Clements	McCurdy,	J. Stewart
Crittenden	McGregor,	Stokes
Dawson	McMullin,	Strickland,
Dodds	Mobley,	Strother,
Dubignon.	Moody,	Thornton,
Grant,	Moughon	J. H. Walton,
Green	Paris,	West
Griffin,	Phillips,	A J Williams,
Gross,	Powell	Williamson,
Harrison,	Redding,	Williford
Harrall,	G. R. Reid,	Woodward,
Hardeman,	Richardson,	Yopp.

Those who voted in the negative are Messrs.

Alread	Fish,	Henderson,
Anderson,	Gartrell,	Keith,
Arnold	W. P. Harden,	Latham,
Armstrong	James Hardin,	Leverett
Bostwick	Haynie,	Linn,
Benj. Cleveland,	Harris,	Mangham,
Cody,	Hatton	Martin,
Denham	Hays.	Masters
Eberhart	Hamilton	Manor,
Fields,	Headen,	McComb

McWhorter.	Riley,	Trice,
Nichols,	Rowell,	Turner
Pickett,	W. R. Smith.	Walker
Poole,	W. Smith	Whitworth,
Pottle,	L. S. Stewart,	H. L. Williams,
M. Reid,	Sweat,	Wilson
Reynolds,	J. Taylor,	Young

There being a tie vote, the chair voted in the affirmative. So the bill was passed.

The House then proceeded to the special order of the day, which was the reading of the Senate bills the third time.

The House took up the report on the Senate bill, to be entitled an act to lay out and organize a new county from the counties of Baker and Early.

On motion of Mr. Rowell, the bill was amended, as follows, to wit :

"That the bond of the Sheriff shall be ten thousand dollars. Strike out from 9th Section, the words 'first Monday in June and December,' and insert 'third Monday in May and November;' strike out from same section, 'third Monday in February and August,' and insert 'third Monday in January and July;' strike out 'first Monday in every month,' and insert 'fourth Monday in every month;' and strike out all of the 9th Section, after the word 'month,' commencing with the word 'except.,'"

The report, as amended was agreed to; the bill was read the third time and passed.

The House took up the report on the Senate bill, to be entitled an act to extend and define the corporate limits of the city of Savannah.

The report was agreed to. The bill was read the third time and passed.

On motion, leave of absence was granted to Messrs Dodds and Carlton, and to Mr. Gartrell, after Saturday next.

On motion of Mr. Pottle, the House adjourned until half-past two o'clock, P. M.

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### HALF-PAST TWO O'CLOCK, P. M.

The House met pursuant to adjournment.

The House took up the amendments of the Senate to the bill of the House, to be entitled an act relative to continuances in certain cases therein named, and for other purposes, and concurred in the amendment thereto.

The House took up the message of the Senate, on the

amendment of the Senate to the bill to be entitled an act to amend an act to prescribe and point out the mode of collecting Coroner's fees in the several counties of this State, passed December 22d, 1835, and concurred therein.

Leave of absence was granted to Mr. Masters, on account of sickness.

The House took up the amendment of the Senate, to the House bill to be entitled an act to allow executors, administrators and guardians, to resign their trusts, on certain conditions, and concurred in the same.

The House took up the amendments of the Senate to the bill to be entitled an act to incorporate the Merchants & Planters Bank, and concurred in the same.

The House took up the amendments of the Senate, to the bill to incorporate the Brunswick Improvement Company, and concurred in the same.

The House took up the Senate's amendment to the bill to be entitled an act to appropriate money to Morgan Kemp, former Sheriff of Marion county, for services rendered by him in and about the sale of certain fractional lots of land in the county of Marion, for the State.

Mr. Phillips offered to amend the Senate's amendment, by adding—"And that the Governor be authorized to draw his warrant on the Treasury for the same;" which was accepted; and the Senate's amendment, as amended, was concurred in.

The House took up the Senate's amendments, to a bill to be entitled an act to lay out and organize a new county from the counties of Baker and Early, and concurred in the same.

Mr. Arnold moved to take up the resolution in relation to the adjournment *sine die*; which was agreed to.

Mr. Phillips moved to lay the same on the table, for the present; which was agreed to.

The House then proceeded with reading House bills a third time.

The House went into Committee of the Whole, Mr. Irwin in the Chair, on the bill to be entitled an act to appropriate money to improve the navigation of Broad River. After some time spent thereon, the committee rose and reported the bill back to the House, without amendment.

The report was agreed to; and upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded, and are: yeas 36, nays 54.

Those who voted in the affirmative are Messrs.

Adams	Crittenden	Eberhart,
Clark,	Dawson	Grant,
Benj. Cleveland,	Dial,	Green,

Haynie	Moody	Shewmake,
Harrison,	Moughon	Stapleton,
Harrall	Paris	Strother,
Latham,	Phillips.	W. A. Walton,
Martin,	Pickett,	Walker,
McComb	Poole,	H. L. Williams,
McDougald.	G. R. Reid,	A J Williams
McMullin,	Rowell,	Wilson,
McWhorter,	Rucker	Young,

Those who voted in the negative are Messrs.

Alread	Headen,	Richardson,
Andrews	Henderson,	Riley,
Arnold	Hood	Rumph,
Armstrong	Irwin	W. R Smith,
Bostwick	Jones,	Stephens
Boatright	Keith,	J. Stewart,
Calloway,	Linn,	Stokes,
W. C. Cleveland,	Mangham	Strickland,
Clements,	Maxwell	Sweat
Cody,	Manor,	Trice,
Fields,	McCurdy,	Turner,
Fish	McGregor,	J. H. Walton,
Gartrell,	Mobley,	West,
Griffin,	Nichols.	Whitworth
J Hardin	Pottle,	Williamson.
Hatton,	Redding,	Woodward.
Hays,	M. Reid,	Yopp.
Hardison	Reynolds	.

So the bill was lost.

The House took up the report on the bill to be entitled an act to amend an act entitled an act, to carry into effect the amended Constitution of this State, in reference to the Ordinaries, and for other purposes, assented to on the 21st of January, 1852, and for other purposes.

The report of the committee was agreed to. The bill was read the third time and lost.

The following message was received from the Senate, by Mr. Moore, their Secretary :

*Mr. Speaker*—The Senate has passed the following bills of the House of Representatives, with amendments, in which they ask the concurrence of the House of Representatives, to wit :

A bill to incorporate the Forsyth & Lumpkin Rail Road.  
Also,

A bill to attach a portion of Crawford county to the county of Taylor.

The Senate has also passed a bill of the House of Representatives, to incorporate the Savannah, Griffin and North Alabama Rail Road Company, with power to build a Rail Road, from the city of Griffin, by Newnan and Carrollton, to the Alabama State line.

The House took up the report of the committee on the bill to be entitled an act to change the line between the counties of Murray and Whitfield.

Mr. Turner offered the following amendment, which was adopted, to wit :

“ The southwestern corner of lot No. 216 ; thence east, to the southeast corner of said lot of land No. 216 ; thence north, to the northeast corner of said lot ; thence east, to the Connasauga River, and thence, with the river, until it crosses the land line that divides lots Nos. 179 and 178 ; thence north, with said line, to the northeast corner of lot No. 111 ; thence east, to the said river ; thence with the river, to the mouth of Sugar Creek : thence with said creek, to the Tennessee line.”

Mr. Shewmake moved to lay the bill, amendment and substitute, on the table for the balance of the session.

Upon which motion, the yeas and nays were required to be recorded, at the call of Mr. Turner, and are : yeas 37, nays 41.

Those who voted in the affirmative are Messrs.

Arnold	Harrall	Rumph,
Bell	Hays,	Shewmake,
Bostwick,	Hamilton	W R. Smith,
Boatright	Latham,	Stephens,
W C. Cleveland,	Maxwell,	Strickland
Dawson,	McCurdy,	Sweat,
Dubignon	McDougald,	West,
Eberhart	McGregor,	A J Williams
Griffin	Moody.	H L Williams
Gross.	Moughon	Woodward,
W. P. Harden,	Pottle,	Young.
J Hardin	G R Reid	
Harrison.	M. Reid,	

Those who voted in the negative are Messrs.

Adams,	Benj. Cleveland,	Fields,
Alread,	Cody,	Gartrell
Andrews,	Crawford,	Haynie,
Calloway	Dial,	Harris,

Hatton,	McMullin,	J. Stewart,
• Hardeman.	Mobley,	Stokes,
Headen,	Nichols,	Thornton,
Hood,	Paris,	Trice,
Jones,	Phillips,	Turner,
Leverett,	Poole,	J. H. Walton,
Linn,	Reynolds.	Walker,
Mangham,	Riley,	Whitworth,
Manor,	Rucker	Williamson,
McComb	L S Stewart.	

So the motion to lay on the table was lost.

Mr. McCurdy moved to adopt the substitute in lieu of the original bill—which motion was lost; and the question recurred upon the passage of the original bill, and upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded, and are: yeas 24, nays 52.

Those who voted in the affirmative are Messrs.

Adams,	Henderson,	Reynolds,
Alread,	Linn	Riley
Boatright,	Mangham	Rucker
Benj. Cleveland,	Manor,	J. Stewart,
Dial	McComb,	Strickland,
Fields,†	Mobley	Turner,
Gartrell,	Nichols	Whitworth,
Haynie	Poole,	Williamson,

Those who voted in the negative are, Messrs.

Anderson,	Hays	Richardson,
Andrews,	Hamilton,	Rowell
Arnold	Hood	Rumph,
Brown,	Latham.	Shewmake,
W C. Cleveland,	Martin	W R Smith,
Cody,	Maxwell,	Stephens,
Crittenden,	McCurdy,	L S Stewart
Dawson,	McDougald,	Strother,
Denham,	McGregor,	Sweat.
Dubignon,	McMullin,	West,
Fish,	McWhorter.	A J Williams
Green	Moody,	H L Williams
Griffin,	Moughon,	Williford,
Gross,	Phillips,	Woodward
W P. Harden,	Pottle,	Young, *
J. Harden,	Redding,	Yopp,
Harris,	G R Reid	
Harrall	M. Reid,	

So the bill was lost.



The House took up the report of the committee on the bill to be entitled an act to amend an act, to provide for the education of the poor, approved January 22d, 1852, so as to compensate the persons who shall be appointed by the Ordinary in the Militia Districts to give him information respecting the poor children, under the provisions of the 6th Section of the above recited act, and for other purposes.

The report was disagreed to, and the bill lost.

The following message was received from His Excellency the Governor, through Mr. DeGraffenreid, his Secretary:

*Mr, Speaker*—The Governor has approved and signed the following acts, which have been deposited in the office of Secretary of State:

An act for the relief of Hannah Levy, and other persons therein named.

An act to change the laws now of force in this State, relating to the arrival within the limits of this State, of colored seamen.

An act to change the names of certain persons therein mentioned, and for other purposes.

An act to incorporate Phi Delia Masonic Academy, at Phi Delta, Franklin county; also, to incorporate and confer certain powers upon the Trustees of the Thomson Male and Female High Schools in Columbia county

An act to authorize the formation of two Fire Companies, in the city of Macon, to be called the Protection Fire Company, No. 1, and Ocmulgee Fire Company, No. 2, of the city of Macon, and to confer on the members thereof, certain privileges and exemptions.

An act to incorporate Trenton Lodge, No. 179, of Free and Accepted Masons in Trenton, Dade county, Georgia; also, to incorporate and confer certain powers on the Sisters of the Order of our Lady of Mercy.

An act to incorporate the Methodist Protestant Church at Sylvania, in Scriven county, and to appoint Trustees for the same, and other Churches therein named.

An act to alter, change and amend, the 46th Section of an act to amend an act entitled an act, to revise and amend the Judiciary System of this State, approved February the 16th, 1799, so far as to dispense with an order of Court, before bringing suits on Sheriffs' bonds.

An act to alter and define the county line between the counties of Talbot and Taylor, and straightening the same, and for the better defining and ascertaining the limits and boundary of the county of Worth.

An act to confer certain privileges upon Francis M. Wilson, of Thomas county, and make lawful his acts, and give him authority to transact business as though he was twenty-one years old.

An act to incorporate the town of Holmesville, in the county of Appling, and to render the county site of said county. permanent at that place; also to amend the several acts in relation to the city of Augusta and the Augusta Canal Company, and to confer certain powers relative thereto.

An act to incorporate the Dade county Iron Manufacturing & Coal Company

An act for the relief of Matthew Grace and Thomas Thompson, of the county of Pulaski, and for the relief of Benjamin F. Chew and Wiley B. Griffin, as their assigns.

An act to alter and amend the 3d Section of the 3d Article of the Constitution of the State of Georgia, by striking out the following words, to wit: "appointed by the Legislature," and inserting in lieu thereof, the words following, to wit: "elected by the persons entitled to vote for members of the Legislature at such times and in such manner, as the Legislature shall, or may by law direct," and to add an additional Section to the 1st Article of the Constitution.

An act to repeal an act to make permanent the public site in the county of Lee, at Starksville, and to incorporate the same—to designate the corporate limits thereof—to appoint Commissioners for the same, and to define their powers, approved December 26th, 1851, and to provide for the selection of a new county site, and for other purposes therein mentioned.

An act to compensate the Grand and Petit Jurors of the county of Wilkinson, and to provide for the payment of the same; also, to compensate the Petit Jurors of the county Fulton, and to provide for the payment of the same; and to compensate the Sheriff of Fulton county for summoning jurors, and to authorize the Justices of the Inferior Court of said county, to levy a county tax for that purpose, and for other purposes therein mentioned.

An act to incorporate the town of Dallas, in the county of Paulding; the town of Butler, in the county of Taylor, the town of Montezuma, in the county of Macon, and to amend the law incorporating the city of Albany, and to amend the law incorporating the town Cartersville, in the county of Cass.

An act to appropriate money for the purpose therein mentioned.

On motion of Mr. McMullin, the Clerk was directed to transmit the bill for the removal of the Seat of Government, to the Senate.

The House took up the report of the committee on the bill to be entitled an act, amendatory of certain acts, in relation to the forfeiture of charter by banks of this State, in certain cases, &c.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to authorize Christian Rauschenburg, of the county of Whitfield, to practice medicine and surgery in all their branches, in any county in this State, and charge and collect for the same, without license from the medical board of this State.

Mr. Smith, of Jasper, offered the following amendment, which was adopted, to wit :

*"And be it further enacted, That the provisions of this act be extended to Doctor O. Profitt, of the county of Jasper."*

Mr. Pottle offered the following amendment, which was agreed to :

*"And be it further enacted, That Charles Henry Audas; of the county of Hancock, be allowed similar privileges as are herein granted to Christian Rauschenburg."*

Mr. Fields offered the following amendment, which was agreed to :

*"And be it further enacted, That Tomlinson F. Brewster, minor, of the county of Cherokee, be allowed to practice medicine, and charge for the same."*

The report, as amended, was agreed to. The bill was read a third time and passed.

The following message was received from the Senate, by Mr. Moore, their secretary :

*Mr. Speaker*—I am directed by the Senate, to transmit forthwith, to the House of Representatives, the bill of the House, to amend an act entitled an act, to incorporate the Coosa & Chattooga River Rail Road Company, this day passed by the Senate, with an amendment, in which they ask the concurrence of the House.

The House took up the report of the Committee on the bill to be entitled an act for the incorporation of the town of Buena Vista, in the county of Marion.

The report was agreed to. The bill was read the third time and passed.

The House went into Committee of the Whole; Mr. Arnold in the Chair, on the bill to be entitled an act to appropriate money for the purposes therein mentioned; and after some time spent therein, the committee rose and reported the bill back to the House, without amendment.

The report was disagreed to. The bill was read the third time lost.

The House took up the report of the committee on the bill to be entitled an act to amend the several laws now in force, in relation to free persons of color, and to exonerate and discharge certain free persons of color from all pains and penalties and forfeitures heretofore incurred, and to which they are subject and liable.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to exempt from levy and sale, under and by virtue of any *fi fa*, or attachment founded upon any contract hereafter made, one negro of each and every debtor.

The report was disagreed to. The bill was read the third time and lost.

The House took up the report of the committee on the bill to be entitled an act to give to the Judges of the Superior Courts of this State, the discretion of commuting the penalty of death, to imprisonment for life in the penitentiary, upon the recommendation of the jury, in all convictions for offences punishable with death.

The report was disagreed to. The bill was read the third time and lost.

The House took up the report of the committee on the bill to be entitled an act to allow parties to suit in Justices Courts in this State, to prove their accounts by written affidavit in certain cases hereinafter named, so as to dispense with their personal attendance, and for other purposes.

The report was disagreed to. The bill was read the third time and lost.

Mr. Gartrell from the Committee on Enrolment, reported as duly enrolled the following bills, to wit :

A bill to be entitled an act to lay out and form a new county out of the counties of Clinch, Ware, Telfair and Irwin, and to organize the same.

A bill to be entitled an act to amend an act to incorporate the Habersham & Union Turnpike Company, and to grant certain privileges to the same, and for other purposes therein named.

A bill to be entitled an act for the relief of Levi Barty, an infirm and indigent person.

A bill to be entitled an act to amend an act to prevent controversies concerning the boundaries of land in this State.

A bill to be entitled an act to amend an act to make uniform, a standard of Weights and Measures in this State, assented to, 23d December, 1839.

A bill to be entitled an act to compel all persons who own or who may hereafter own, any land over one thousand acres improved or unimproved, to give in and pay taxes on the same, in the county in which said land lies, so far as relates to the county of Wayne.

The House took up the report of the committee on the bill to be entitled an act to appropriate the State tax for the year 1854, of Scriven county, as a permanent fund to and for the use and benefit of Scriven County Academy. Paris

Hill Academy, and Bascom Academy, all in said county.

On motion of Mr. Gross, the same was laid on the table for the balance of the session.

The House took up the report on the bill to be entitled an act to prohibit slaves and free persons of color, from acting as agent, clerk or bar keeper in any retail shop in this State.

Mr. Hood offered the following amendment, which was adopted:

*"And be it further enacted,* That all persons after the passage of this act, who take out license for the retail of ardent spirits, shall be required to have administered to their clerk or clerks, agent or agents, or any other person or persons in their employment, as salesman, the oath that is now required to be taken by the applicant himself, and upon failure to do so, the principal or clerk, or agent, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined (each of them) in a sum not less than fifty, nor more than one hundred dollars, at the discretion of the Court."

Mr Thornton offered the following amendment, to wit:

*Provided,* The provisions of this act do not extend to the counties of Bibb and Muscogee."

Upon the question of adopting the amendment of Mr. Thornton the yeas and nays were required to be recorded at the call of Mr. Thornton, and are: yeas 17, nays 66.

Those who voted in the affirmative are, Messrs.

Adams,	Latham,	J. Stewart,
W C. Cleveland,	Manor	Thornton,
Crawford,	McDougald,	West
Dodds,	Richardson,	H. L. Williams,
James Hardin,	Riley,	Young,
Hardeman,	Rowell	

Those who voted in the negative are, Messrs.

Anderson,	Eberhart	Henderson
Arnold	Fields,	Hood
Armstrong,	Gartrell	Irwin,
Bostwick,	Griffin,	Jones,
Boatright,	Gross,	Keith
Calloway.	W. P. Harden,	Leverett,
Carlton	Haynie	Linn,
Clark	Harris	Mangham,
Benj. Cleveland,	Harrison,	Martin
Clements	Harrall,	Maxwell,
Cody,	Hays,	McCurdy,
Crittenden	Headen,	McGregor,

McMullin,	G. R. Reid,	Trice,
McWhorter	Reynolds	Turner,
Mobley,	Rucker	J. H. Walton
Moody,	Rumph	Walker,
Nichols	Shewmake,	Whitworth,
Paris	W R. Smith,	A J Williams
Phillips,	Wm. Smith,	Williamson,
Pickett,	Stapleton,	Wilson,
Poole	Strother,	Williford,
Pottle	Sweat	Woodward

So the motion was lost.

The previous question was called, and the call sustained, and the main question ordered to be put.

Upon the question "Shall the bill now pass?" the yeas and nays were required to be recorded, and are: yeas 50, nays 33.

Those who voted in the affirmative are Messrs.

Anderson,	Hood	Shewmake,
Arnold	Irwin,	W. R. Smith,
Armstrong	Jones	W Smith,
Bostwick,	Linn,	Stapleton
Boatright,	Mangham,	Stephens
Clark	Martin	Strother
Cody,	Maxwell	Trice,
Eberhart,	McCurdy	Turner,
Grant,	McWhorter	J. H. Walton,
Gross,	Mobley,	W A Walton
W. P. Harden,	Moody.	Whitworth,
James Hardin,	Paris	H L Williams
Haynie,	Poole	A J Williams
Harrison	Pottle	Williamson,
Harrall,	Reynolds,	Williford
Hays,	Richardson	Woodward
Headen, .	Rucker	

Those who voted in the negative are, Messrs.

Adams	Gartrell,	Leverett,
Calloway,	Green	Manor
Benj. Cleveland,	Griffin,	McDougald,
W C. Cleveland,	Harris,	McGregor,
Crawford,	Hardeman,	McMullin,
Crittenden,	Hamilton,	Moughon
Dawson	Henderson,	Nichols,
Fields	Latham	Pickett.

G. R. Reid,	Rumph,	Thornton
Riley,	J Stewart	Walker,
Rowell,	Strickland	West,

So the bill passed.

On motion of Mr. Smith of Jasper, the House then adjourned until half-past 7 o'clock, this evening.

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### HALF PAST SEVEN O'CLOCK, P. M.

The House met pursuant to adjournment.

On motion leave of absence was granted to Messrs. Dial and Dubignon, on account of the sickness of their families.

On motion of Mr. McCurdy the order was suspended, and the bill to be entitled an act to incorporate the Columbia mining company, and to grant certain privileges thereto, was taken up.

Mr. Wilson offered to amend by substituting the following, in lieu of the second Section, which was agreed to, to wit:

*"And be it further enacted by the authority aforesaid, That said company shall keep an office in the county of Columbia, which shall be considered for judicial purposes, its location, and in which county it shall be liable to be sued.*

*"And be it further enacted, That Henry D. Leitner and his associates and their assigns be, and are hereby made and created a body corporate and politic by the name and style of the Parks Mining Company, with a capital stock of twenty thousand dollars, with the privilege of increasing said capital stock, not over five hundred thousand dollars, and with the same rights and privileges, limitations and restrictions as are herein granted to the Columbia Mining Company. and with the privilege of holding the office of said Parks Mining Company, in the county of Columbia, where it shall be liable to be sued.*

*"And be it further enacted, That Benjamin A. Broomhead and his associates and their assigns, be, and are hereby made a body corporate and politic, by the name and style of the Walker Mining Company, with a capital stock of twenty thousand dollars, with the privilege of increasing the same to not over five hundred thousand dollars. and with the same rights and privileges, limitations and restrictions as are herein granted to the Columbia Mining Company, and with the privilege of holding the office of said Walker Min-*

ing Company in the county of Columbia, where it shall be liable to be sued,

*"And be it further enacted, That Daniel McCormick and his associates and their assigns, be, and are hereby made a body corporate and politic, by the name and style of the Porter Mining Company, with a capital stock of twenty thousand dollars, with the privilege of increasing the same to not more than five hundred thousand dollars, and with the same rights and privileges, limitations and restrictions as are herein granted to the Columbia Mining company, and with the privilege of holding the office of the said Porter Mining Company in the county of Columbia, where it shall be liable to be sued.*

The report of the committee as amended was agreed to; the bill was read the third time and passed.

The House then proceeded to read bills of the Senate the second time; the following bills were then read:

A bill to be entitled an act to amend an act entitled an act to incorporate the Carrollton Railroad company, approved January 1852.

A bill to be entitled an act to change the name of Mary Francis Tisdale of the county of Putnam, to that of Mary Francis Kolb, to legitimize the same, and for other purposes therein mentioned.

A bill to be entitled an act to incorporate the Georgia Gold Company, and the Mining Company of Northern Georgia.

A bill to be entitled an act to compensate the Grand and Petit Jurors, for the county of Irwin, and provide for the payment of the same.

A bill to be entitled an act to authorize Guardians of minors, to invest the surplus funds belonging to their wards in slave property under certain conditions, and Ann T. Whitfield of the county of Troup administratrix on the estate of Horatio Whitfield, deceased, to sell or buy lands on account of said estate.

A bill to be entitled an act to authorize and require the Governor to appoint four additional trustees for the deaf and dumb Asylum at Cave Spring, in the county of Floyd, and to authorize said Asylum to receive pupils from the age of seven and twenty four years, and to extend the term of their pupilage, and for other purposes therein mentioned.

A bill to be entitled an act to change the line between the counties of Floyd and Polk, and the line between the counties of Campbell and Polk, and to define the same.

A bill to be entitled an act to provide for the election of the Marshal and Deputy in the town of Athens, and for their removal from office.

A bill to be entitled an act to incorporate a Dahlonega Testing and Mining company, under such process as they



deem best for gold, copper or other minerals, peculiar to the gold-region of Georgia.

A bill to be entitled an act to authorize the payment of certain accounts therein specified.

A bill to be entitled an act to incorporate the Chattahoochee Railroad company.

A bill to be entitled an act to amend the 32d section of the Judiciary laws of this State, relating to filing affidavits of illegality and the trial of claims.

A bill to be entitled an act to revive an act to incorporate the Florence Bridge Company, assented to 29th December, 1838.

A bill to be entitled an act in relation to executors, administrators and guardians, for better protection of the estates of deceased persons and orphans.

A bill to be entitled an act to amend an act, approved January 9th, 1852, to levy and collect a tax for each of the political years 1852 and 1853, and thereafter until repealed.

A bill to be entitled an act to regulate the granting of new trials.

A bill to be entitled an act for the government of Solicitors General in certain cases therein named, and to provide for the payment of the fees of witnesses.

A bill to be entitled an act to appoint an additional number of trustees for the Bainbridge academy, in the county of Decatur.

A bill to be entitled an act to change the line between the counties of Wilkes and Taliaferro, also, to change the line between certain other counties therein designated.

A bill to be entitled an act to incorporate the Baptist Female orphan school,

A bill to be entitled an act to protect the owners of lands or tenements against intruders.

A bill to be entitled an act explanatory of the 12th and 13th sections of the 9th division of the Penal Code.

A bill to be entitled an act to incorporate the Bainbridge Cemetery, in the county of Decatur, and to appoint trustees for the same.

A bill to be entitled an act to compel Judicial officers to turn over to their successors in office books received from the State.

A bill to be entitled an act to made Edward Young Hill Dale of the county of Carroll, the heir at law of Jonathan Polston of said county.

A bill to be entitled an act to incorporate the Griffin Baptist Church.

A bill to be entitled an act to incorporate the Talmage Normal Institute, located in the town of Irwinton, and appoint trustees for the same, and for other purposes.

A bill to be entitled an act to extend the corporate limits and jurisdiction of the city of Marietta, in Cobb county, and to add the territory therein described to said city.

A bill to be entitled an act to permit George M. Tutt and George W Newman to marry again, and for their relief.

A bill to be entitled an act to repeal so much of the 1st section of an act entitled an act to appoint County Treasurers and to define their duties, approved 24th December, 1825, as relates to the appointment of said officers by the Justices of the Inferior Courts of the State, and to authorize their election by the people, so far as relates to the counties of Floyd, Madison and Gwinnett.

A bill to be entitled an act to incorporate Antioch Baptist Church, in the county of Washington, and to appoint trustees for the same, and to incorporate other churches and Academies therein named.

A bill to be entitled an act to repeal all laws consolidating offices of Receivers of Tax Returns and Tax Collectors in the county of Clarke.

A bill to be entitled an act to alter and amend the 7th section of an act entitled an act to carry into effect the amended Constitution of this State in reference to the Ordinaries of said State, and for other purposes, assented to January 21st, 1852, so far as to authorize the Ordinary of Polk county to keep his office closed, except on Tuesdays and Fridays in each and every week.

A bill to be entitled an act to incorporate the Ladies' Hebrew Benevolent Society of Savannah.

A bill to be entitled an act to incorporate the Atlanta Medical College, and for other purposes therein mentioned.

A bill to be entitled an act to change the lines between the counties of Monroe and Crawford, and also to change the lines between other counties therein mentioned.

A bill to be entitled an act to repeal all laws consolidating offices of Receivers of Tax Returns and Tax Collectors in the county of Clarke.

The following bills of the House were taken up, read a second time, and committed for a third reading, to wit :

A bill to be entitled an act for the relief of Ellison Grace.

A bill to be entitled an act to appropriate a sum of money to Daniel O'Callahan, of the county of Gordon, and to provide for the payment of the same.

A bill to be entitled an act to alter and change the line between the counties of Pickens and Cherokee.

A bill to be entitled an act to appropriate a certain sum of money therein named, for the relief of Nathan Foinby and Zachariah Slayton of the county of Heard.

A bill to be entitled an act to incorporate the town of Fairburn in the counties of Fayette and Campbell.

A bill to be entitled an act to repeal all laws requiring retailers or venders of any kind of liquors to obtain license, &c., &c.

On motion the same was indefinitely postponed.

A bill to be entitled an act to lay out a new county out of Bibb and Monroe, and to organize the same.

On motion the same was postponed, as the special order for the first day of June.

The House took up the report of the committee on the bill to be entitled an act to authorize the Governor to issue State bonds in lieu of the outstanding bonds of the Central bank.

Mr Phillips moved to amend the bill by striking out "seven," and filling up the blank with "six per cent;" which amendment was agreed to.

The report of the committee as amended was agreed to. The bill was read the third time and passed.

The following bills were taken up, read a second time and ordered to be committed for a third reading, to wit:

A bill to be entitled an act to apportion the representatives among the several counties of this State, according to the 7th section of the 1st article of the Constitution.

A bill to be entitled an act to permit all persons in this State to establish ferries and erect or build bridges on all water courses therein, on their own land, and to charge and collect toll from all persons, vehicles and stock crossing the same, and for other purposes therein named.

A bill to be entitled an act to alter and change the mode of appointing trustees of Glynn county academy; in the county of Glynn, and to compel their treasurer to give bond and security for the faithful performance of his duty.

A bill to be entitled an act for taking the answers of parties to suits in this State, when such parties reside without the limits of this State. and for other purposes.

A bill to be entitled an act to incorporate the Georgia Western Railroad Company, and to confer on the same certain powers and privileges therein mentioned.

A bill to be entitled an act to authorize the Justices of the Inferior Courts of this State to bind out any free negro, mulatto or free person of color, between the ages of five twenty one years,

A bill to be entitled an act to incorporate the city of Covington in the county of Newton, to extend the corporate limits thereof, and for other purposes herein mentioned.

A bill to be entitled an act to regulate the sessions of the Courts of Ordinary in the county of Camden.

A bill to be entitled an act to incorporate the Upson Female School, located at Thomaston, with power to appoint

a President and Directors, confer collegiate degrees, and for other purposes therein named.

A bill to be entitled an act for the relief of Samuel McBee, of Dade county.

A bill to be entitled an act to incorporate the Southern Central Agricultural Society of Georgia, and to confer certain powers and immunities on the same.

A bill to be entitled an act to alter and amend an act to prescribe the mode of laying out private ways, and for other purposes, approved January 17th, 1852.

A bill to be entitled an act to require all promises, acknowledgements and admissions of debts, made after the Statute of Limitations has commenced running, to be reduced to writing or some note or memorandum thereof made in writing and subscribed by the person or persons making the same, or some other person, thereunto by him lawfully authorized; in order to revive said note or debts.

A bill to be entitled an act to refund money to persons who granted fractional lots and islands, under the acts of the 30th of December, 1847, and under the act of the 23d of February, 1850, which acts forfeited all lands therein described that are not granted by the time specified in said acts, and which acts have since been declared unconstitutional by the Supreme Court.

A bill to be entitled an act to amend an act entitled an act to carry into effect the amended Constitution of this State, in reference to the ordinaries of said State, and for other purposes, assented to January 21st, 1852, so far as relates to the county of Chatham, in said State.

A bill to be entitled an act to authorize the consolidation of the two incorporated Companies, known as the Central Rail Road and Banking Company of Georgia, and the Macon and Western Rail Road Company, so as to make one Company and one Rail Road from Savannah to Atlanta, under the charter of the Central Rail Road and Banking Company of Georgia.

A bill to be entitled an act to alter and amend an act entitled an act for the relief of Sheriffs in certain cases, passed the 22d December, 1829, so far as relates to the Sheriffs of Lowndes county.

A bill to be entitled an act to amend an act to incorporate a Bank in the town of LaGrange, to be called the LaGrange Bank.

A bill to be entitled an act to incorporate Jasper Lodge, No. 50, of Free and Accepted Masons.

A bill to be entitled an act to alter an act entitled an act to appropriate a sum of money to build a road over the Lookout Mountain, in the counties of Walker and Dade, approved February 23d. 1850, and for other purposes.

A bill to be entitled an act to regulate the appointment of Clerks and Sheriffs.

A bill to be entitled an act for the relief of Rebecca B. B. Cohen and Persa S. Solomons.

A bill to be entitled an act to incorporate the Oglethorpe Mutual Loan Association, in the city of Savannah.

A bill to be entitled an act to incorporate the stockholders in the Montgomery R. R. Company in the State of Georgia, to give them the right to extend the Opelika branch of their Rail Road across the Chattahoochee river, and to locate a depot on their own land in Georgia.

A bill to be entitled an act to amend the several acts now in force to incorporate the town of West Point in Troup county, and for other purposes.

A bill to be entitled an act to compensate the managers of elections in Lincoln county.

A bill to be entitled an act to authorize the Ordinary of Jasper county to pay the several teachers of poor children their accounts for teaching poor children in said county.

A bill for the relief of citizens of Paulding county.

A bill to be entitled an act to extend an act to allow the Sheriff of Chatham county certain fees, which are not provided for by law, and to allow him to appoint special Deputy Sheriffs in certain cases, and for other purposes so as to confer the same benefits and powers upon the Sheriff of Bibb county.

A bill to be entitled an act to alter and amend the several acts of this State, so far as relates to the county of Glynn.

A bill to be entitled an act to divorce Robert J. Levar and his wife, Adeline Levar, formerly Adeline Bentford of the county of Twiggs.

A bill to be entitled an act to divorce Joseph Cook and his wife, Sarah Cook, of the county of Campbell.

A bill to be entitled an act for the relief of Robert B. Bostwick, of the county of Cobb.

A bill to be entitled an act to divorce Eugene B. Foote, of the county of Cobb, and his wife, Sarah J. Foote, and to invest him with all the rights, &c., &c.

A bill to be entitled an act to extend the powers of the Hamilton Female College Company, incorporated by the Superior Court of Harris county, and for other purposes therein named.

A bill to be entitled an act to appropriate a sum of money to remove obstructions from the main channel of Little Canoochee river, the south prong of Canoochee river, in the county of Liberty, and to render the same navigable for timber rafts, timber, wood and produce thereon, and for other purposes therein mentioned.

A bill to be entitled an act to authorize Bowen and Broth-

ers, a Manufacturing Company of the county of Carroll, to raise by lottery a certain sum of money therein named, and to incorporate said Company.

A bill to be entitled an act to change the line between the counties of Hall and Lumpkin.

A bill to be entitled an act to prevent gaming, and to make the punishment of offenders against the gaming laws of this State more certain.

A bill to be entitled an act to incorporate the Savannah Lumber Manufacturing and Planing Machine Company.

A bill to be entitled an act for the more complete and efficient organization of the several Brigades of the State of Georgia.

The following bill was taken up, read a second time, and ordered to be engrossed, to wit :

A bill to be entitled an act to remove an election precinct from the house of Mrs. Anny Greer, in the 373d District, Georgia Militia, of Jasper county, to the house of Moses Chaffin, in said District and county.

The following bills were taken up, read a second time and ordered to be committed for a third reading, to wit :

A bill to be entitled an act to make permanent the election precinct in the 1087th District Georgia Militia, in Paulding county.

A bill to be entitled an act to change the name of William Riley Rogers, of the county of Campbell, and legitimize the same.

A bill to be entitled an act to require his Excellency the Governor to draw his warrant on the Treasury in favor of the Ordinary of Sumter county, for a certain sum of money, for the purposes therein mentioned.

A bill to be entitled an act to repeal an act entitled an act to alter and amend the several acts in relation to itinerant traders, and to prescribe the mode of their obtaining license, approved November 27th, 1845, and for other purposes.

A bill to be entitled an act to authorize the issuing of grants to Washington Dial, of Appling county, for certain fractional lots therein named.

A bill to be entitled an act to appropriate money to pay Larkin H. Davis, of the county of Carroll, for apprehending A. A. Hunt, who is charged with the crime of murder upon the body of Richard Ralston, on the 11th of January, 1854.

A bill to be entitled an act to appropriate money to compensate Hansel R. Seward, for pursuing and arresting James Williams, who was charged with the offence of murder, and to reimburse the said Hansel R. Seward, for expenses in having the said Williams committed to jail.

A bill to be entitled an act to lay out and organize a new county from parts of Campbell, Carroll, Paulding and Polk counties, and attach the same to a Judicial and Congressional District.

A bill to be entitled an act to authorize Leonidas Socrates Lawhon, of the county of Cherokee, to plead and practice law and equity in this State, as though he were of lawful age.

A bill to be entitled an act to appropriate money for the purpose of grading a good waggon road through the Pine Mountain, within four miles of the town of Hamilton, in said county, and appoint commissioners for the same, and for other purposes.

A bill to amend an act, passed on the 22d of January 1852, so far as relates to William E. Dabbs.

A bill to be entitled an act to authorize E. G. Doyle, of the county of Baldwin, to practice medicine on the Homœopathic system, and charge and collect for the same.

A bill to alter and fix the time of holding the Superior Court of Worth county.

A bill to be entitled an act to authorize the Georgia Historical Society to raise by lottery a sum of money therein mentioned, for the benefit of the said corporation.

A bill to be entitled an act to authorize O. Proffitt, of the county of Jasper, to practice medicine and charge and collect compensation for the same.

On motion of Mr. Smith of Jasper, the bill was made the special order of the day for the 1st of June next.

A bill to be entitled an act to amend an act, passed 27th December, 1845, entitled an act to incorporate the Muscogee Rail Road Company, and to punish persons for violating the provisions of the same; also to amend an act, passed 27th December, 1847, entitled an act to incorporate the Muscogee Rail Road Company, and to punish persons for violating provisions of the same, approved 27th December, 1845, and to authorize said company &c., so far as to change the time and mode for the election of Directors for said Company, and for other purposes, &c.

A bill to be entitled an act to prevent the firing of any lands, woods or marshes, &c., any where within the county of Thomas.

A bill to be entitled an act to change the route of the Western & Atlantic Rail Road at Etowah river and Allatoona creek, and for purposes connected therewith.

A bill to be entitled an act to prescribe the manner of perfecting service of *scire facias* to revive dormant judgments obtained in Justices Courts.

A bill to be entitled an act to indemnify and to compensate certain persons therein named on account of expenditures made, and services rendered by them in certain litigation, growing out of disputed boundary questions between this State and Alabama.

On motion of Mr. Thornton, the bill was made the special order of the day for Saturday, the 11th day of February inst.

The following bill was taken up, read a second time and ordered to be engrossed, to wit :

A bill to be entitled an act to appropriate five thousand dollars for the better payment of the Professors of the University of Georgia, and also five thousand dollars to the Military Institute at Marietta.

The following bill of the Senate was read the second time and committed for a third reading :

A bill to be entitled an act to change the line between the counties of Walker and Gordon, and to attach a portion of Walker to said county of Gordon, and the line between the counties of Walker and Catoosa, and also the line between the counties of Macon and Taylor.

The following bills were read the second time and ordered to be committed for a third reading :

A bill to be entitled an act to change the line between the counties of Jackson and Gwinnett, so as to include the residence of Edmund Elden, in the county of Jackson.

A bill to be entitled an act to require guardians of free persons of color to register their names, and for other purposes therein specified.

A bill to be entitled an act to compel the several Rail Road Companies in this State, not heretofore exempt by law, to give in and pay a tax for county purposes, in the several counties through which said roads pass, and for other purposes.

A bill to be entitled an act to restrict and limit physician and other practitioners of medicine in their charges for mileage.

A bill to be entitled an act to extend the corporate limits of the town of Hamilton, in the county of Harris

A bill to be entitled an act to amend an act entitled an act to prescribe the mode of laying out private ways and for other purposes approved January 17th. 1852, and for other purposes ; so far as to authorize and require Sheriff and their deputies, to superintend the opening and laying out private ways.

A bill to be entitled an act for the relief of William Cline of the county of Walton, and for other purposes.

A bill to be entitled an act to create and lay off a new Judicial Circuit out of certain counties herein named to be called the Muscogee Circuit, and to add the same to the 2d Supreme Court District, and for other purposes.

A bill to be entitled an act to convert the Western and Atlantic Rail Road into a Joint Stock Company—authorize the Governor to sell said stock at par value—to incorporate a company, and grant them Banking privileges, such as are enjoyed by the Central Rail Road and Banking Company &c., and for other purposes therein named.



A bill to be entitled an act for the benefit of free persons of color subject to taxation.

A bill to be entitled an act to refund to Francis Xavier Gartland, a double tax.

A bill to be entitled an act to alter and amend the claim laws now of force in this State concerning the withdrawal of claims, and the making of portions in claim causes.

A bill to be entitled an act to authorize and require the tax Collector of Glynn county to pay over the tax of 1854, and for other purposes therein specified.

On motion the bill was made the special order for the 1st day of June next.

A bill to be entitled an act to alter and amend the laws now of force in this State concerning the making of parties to suits, and for other purposes.

A bill to be entitled an act to authorize and empower William P. Fain and E. V. Edmondson, to erect a mill dam, across the Coosawattee River, on lot of land No. 98 in the 7th District, and 3d Section of Gordon county.

A bill to be entitled an act to alter and change the name of John Anderew Turner to that of John Anderson Barclay.

A bill to be entitled an act to levy and collect a tax for each of the political years 1854 and 1855, and thereafter until repealed.

A bill to be entitled an act to lay out a new county from the counties Monroe, Upson and Crawford, to be called King county, and for other purposes therein specified.

A bill to be entitled an act for the relief of John F. Green.

A bill to be entitled an act to protect Ferry Boats and any other water-craft used in ferrying over any of the rivers and waters of this State, from wanton injuries committed by steamboats navigating the same, and to authorize the recovery of damages for injuries sustained by such collision, and to define the mode of procedure, in such cases.

A bill to be entitled an act to authorize the proper officers to issue a grant for fraction number two in the 33d District of originally Lee county, to the *bona fide* holder of the certificate for the same under certain restrictions, therein mentioned.

A bill to be entitled an act to authorize James W. Head, of Fayette county, to peddle without license.

A bill to be entitled an act to authorize Joseph R. Mitchell, of the county of Franklin county, to erect and keep up a toll bridge across the Middle River, on his own land in said county.

A bill to be entitled an act to repeal all laws respecting the importation of slaves into this State for sale or hire, and for other purposes therein mentioned.

A bill to be entitled an act to incorporate a company to be

known by the name and style of the Marietta Fire Company, and to give them certain privileges and exemptions.

A bill to be entitled an act to prevent the abatement of suits in certain cases.

A bill to be entitled an act to change the name of Missouri Binum of the county of Paulding, to Missouri Hackett, and to legitimize the same, and that of James Jefferson Sheffield to that of James Jefferson Pudgett; also that of Sarah Lochlin to that of Sarah McWhorter.

A bill to be entitled an act to prevent the abatement of certain actions at law.

A bill to be entitled an act to authorize the Justices of the Inferior Court of the county of Scriven, to open the land office of said county, and to vest them with all the powers of holding land courts, that are now exempt by the Justices of the Peace, in lieu of said Justices.

A bill to be entitled an act to change the time of holding elections for members to represent the people of this State in the Congress of the United States.

A bill to be entitled an act to appropriate money for effecting important improvements at the State Lunatic Asylum and for other purposes connected with the interest of the Institution.

A bill to be entitled an act to limit the construction hereafter to be given to the Act prescribing the mode of partitioning lands and tenements.

A bill to be entitled an act for the relief of James Grenade, Tax Collector of Wilkinson county.

A bill to be entitled an act to grant to Ishmael Brannon, of Talbot county the right and privilege of making a crossing place across the 30th Section of the Muscogee Rail Road, near the village of Geneva in Talbot county, and for other purposes therein stated.

A bill to be entitled an act for the relief of P. L. G. May.

A bill to be entitled an act for the relief of Margaret Kinman, of Chattooga county.

A bill to be entitled an act to alter and amend the several Judiciary Acts now in force in this State, so far as relates to Justices Courts, approved December 14th, 1811

A bill to be entitled an act to create an election precinct in the 1087th District, Georgia Militia, on lot of land number 731, 1st District, and 3d Section of Paulding county, also one in the 886th District, Georgia Militia in Talbot county.

A bill to be entitled an act to increase the salaries of the Judges of the Superior Courts of this State.

A bill to be entitled an act to lay out and organize a new county from the counties of Campbell, Carroll, Paulding and Cobb; to provide for the location of the county site

and public buildings ; to prescribe the times of holding the Superior and Inferior Courts of said county, and for other purposes therein mentioned.

A bill to be entitled an act to authorize the Justices of the Inferior Court of Heard county to levy an extra tax to be called a ferry tax.

A bill to be entitled an act to incorporate the Fort Gaines Rail Road Company, and for other purposes therein mentioned.

A bill to be entitled an act to incorporate the Bushy Head Shoals Bridge Company, in Heard county and for other purposes therein specified.

A bill to be entitled an act to authorize John Thompson of Heard county to construct a mill-dam partly across the Chattahoochee River at or near the Bushy Head Shoals in said county.

A bill to be entitled an act to repeal an act entitled an act to compel parties plaintiffs in the several Courts of this State, when the plea of usury is filed, to discover on oath the truth or falsehood of the facts stated in such plea or to allow the defendant in case of refusal by the plaintiff to establish the facts contained in such plea by his own oath, without a bill of discovery, approved December 28th, 1852.

A bill to be entitled an act to incorporate the Columbus Gas Light Company, and to change the name of the Ladies Benevolent Society of the city of Columbus.

A bill to be entitled an act to facilitate the collection of executions, issued by the Mayor and Council of the city of Columbus, and for other purposes.

A bill to be entitled an act to appropriate a sum of money for certain purposes.

A bill to be entitled an act to authorize and require the Judges of the Superior Courts in this State to bail or discharge defendants in criminal cases under certain circumstances herein specified and for other purposes therein mentioned.

On motion of Mr. Walker leave of absence was asked for Mr. Turner, on account of the illness of his wife ; which was refused.

On motion of Mr. Riley the House adjourned to half-past 9 o'clock to-morrow morning.

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#### THURSDAY, FEBRUARY 9th, 1854.

The House met pursuant to adjournment.

Mr. McDougald moved to reconsider so much of the Journals of yesterday, as relates to the rejection of the bill, to be entitled an act to prohibit slaves and free persons of

color from acting as agent, clerk or bar-keeper, in any retail shop in this State.

Pending which, the following message was received from the Senate by Mr. Moore, their Secretary :

*Mr. Speaker*—The Senate has passed the following bills of the House of Representatives, to wit :

A bill to change the name of Joseph D. Bartlett, and to legitimize him. Also,

A bill to amend an act for the better protection and security of orphans and their estates; approved February 18th, 1799, by extending the provisions of the 5th Section thereof, to Trustees and their estates. Also,

A bill to authorize the Governor to apply \$75,000 to the redemption of any bonded liabilities of the State, &c.—Also,

A bill to incorporate the Savannah & Florida Steamboat Company. Also,

A bill to make John P. Cain, heir at law of John Cain. Also,

A bill to incorporate the Clinch Rifles Loan Association. Also,

A bill to incorporate the town of Whitesville, in the county of Harris, and to provide for the election of Commissioners for the same. Also,

A bill, supplementary to an act entitled an act, to organize a volunteer battalion in the city of Savannah, to be called the Independent Volunteer Battalion of Savannah, approved January 20th, 1852. Also,

A bill to alter and amend an act, relating to the Court of Common Pleas & Oyer & Terminer of the city of Savannah, so far as relates to the fees of the Clerk of said Court. Also,

A bill to incorporate the Cherokee Wesleyan Institute, located at Cave Spring, and for other purposes. Also,

A bill to alter and change the names of certain persons therein named, and for other purposes. Also,

A bill to incorporate the town of Graniteville, in the county of Coweta. Also,

A bill to remove certain election precincts in the counties of Coweta, DeKalb and Appling. Also,

A bill to amend the several laws incorporating the city of Milledgeville, and to establish a police court therein.—Also,

A bill for the relief Richard Myrick, of Pike county.—Also

A bill to regulate the collection of jury fees in the Superior and Inferior Courts of the county of Cobb.

The Senate has also passed the following bills of the House of Representatives, with amendments, in which they ask the concurrence of the House of Representatives, to wit :

A bill to authorize James Lasseter, of Decatur county, a minor, to transact his own business, in the same manner, and subject to the same responsibilities as though he was of full age, and for other purposes. Also,

A bill to incorporate a bank to be called the Exchange Bank of the city of Savannah. Also,

A bill to lay out and form a new county from the counties of Muscogee, Marion and Stewart, and organize the same. Also,

A bill to amend an act, to appoint certain Commissioners for Savannah River, approved February the 23d, 1850. Also,

A bill to authorize his Excellency, the Governor, to draw his warrant on the Treasury in favor of Drewry W. Taylor, of Houston county, for \$22 96 cents, for monies advanced by him to pay for advertising lands, and for commissions for selling the same, under the provisions of an act, approved December the 30th, 1847. Also,

A bill to authorize Drs. William D. Quinn and James H. Lane, of the county of Wilkes, to practice medicine, charge for the same, and for other purposes therein specified.— Also,

A bill to incorporate the Georgia Mining Company, and to grant certain powers and privileges to the same.

The Senate has also passed a bill to repeal a portion of the statute of the 32d of Henry the 8th, and to make valid, deeds of conveyance to land made by a person holding legal title to the same, and who at the time is not in possession.

The House resumed the consideration of the motion to reconsider the bill to prohibit slaves and free persons of color, from acting as agent, &c., in retail shops in this State.

Upon which motion, Mr. McDougald required the yeas and nays to be recorded, which are : yeas 39, nays 59.

Those who voted in the affirmative are, Messrs.

Adams,	Green	G R Reid
Andrews,	Griffin,	Rice
Brown	James Hardin	Richardson,
Calloway	Hardeman,	Riley
Cameron,	Hamilton,	Rowell,
Benj. Cleveland.	Latham,	Rumph,
W. C. Cleveland,	Leverett,	J. Stewart
Crawford	McComb	Stokes
Crittenden,	McDougald,	Strickland,
Dawson	McMullin,	Thornton
Dubignon,	Moughon	Walker
Fields,	Phillips	West,
Gartrell,	Pickett,	Young,

Those who voted in the negative are Messrs.

Alread,	Henderson,	Reynolds,
Anderson,	Hood,	Rucker
Arnold,	Irwin	Shewmake,
Armstrong,	Keith,	W R. Smith,
Boatright	Linn,	W Smith
Clark	Mangham,	Stapleton,
Clements	Martin	Stephens.
Cody,	Masters	L. S. Stewart,
Denham,	Maxwell,	Strother,
Eberhart	McCurdy,	Sweat
Grant,	McGregor,	J. Taylor,
Gross,	McLean,	Trice,
W. P. Harden,	McWhorter	Turner,
Haynie	Mobley,	W. A. Walton,
Harris,	Moody,	J. H. Walton,
Harrison,	Paris,	H L Williams
Harrall,	Poole,	Williamson
Hays,	Pottle,	Williford,
Hardison	Redding,	Yopp.
Headen,	M. Reid,	

So the motion to reconsider was lost.

Mr. Phillips moved to reconsider so much of the Journals of yesterday, as relates to the rejection of the bill to be entitled an act to appropriate money to improve the navigation of Broad River. After some discussion on the motion to reconsider, the previous question was called and sustained.

The main question was then put, and the motion lost.

Mr. Stapleton moved to reconsider so much of the Journals of yesterday, as relates to the bill to be entitled an act to repeal all laws requiring retailers, or venders of intoxicating liquors, to obtain license, &c. &c.

On which motion, the yeas and nays were required to be recorded, at the call of Mr. Stapleton, and are: yeas 25, nays 62.

Those who voted in the affirmative are, Messrs

Alread	Martin	J. H. Walton,
Boatright	McCurdy,	Walker
Dawson,	Pickett,	Whitworth,
Gross,	Richardson,	A. J. Williams,
Harrison,	Rucker	H L Williams
Harrall,	Stapleton,	Woodward,
Hardeman	L S Stewart	Young,
Hays,	Strother,	
Hood	W A. Walton,	

Those who voted in the negative are, Messrs.

Adams	W P Harden,	Nichols,
Anderson,	J Hardin,	Paris,
Andrews.	Harris,	Poole,
Arnold,	Hatton.	Pottle,
Armstrong,	Hardison	Powell
Bostwick,	Headen,	Redding,
Brown	Henderson,	G. R. Reid,
Calloway,	Irwin,	M. Reid,
Cameron.	Jones,	Reynolds,
Clark	Keith	Riley
Benj. Cleveland,	Linn,	Rowell,
W. C. Cleveland,	Mangham,	Shewmake,
Clements	Masters,	W Smith,
Crawford,	Manor,	Stephens,
Denham,	McComb	Strickland,
Dubignon,	McDougald,	Sweat,
Eberhart,	McLean,	J. Taylor,
Fields,	McMullin,	Trice.
Fish	McWhorter	Turner
Grant	Moody	Yopp.
Griffin,	Moughon	

So the motion was lost.

Mr. Crawford, from the Special Committee on the memorial of Col. E. D. Chisolm, made the following report, which was read, to wit :

The committee to whom was referred the memorial of Edward D. Chisolm, Solicitor General of the Blue Ridge Circuit, and the communications from certain persons of the county of Carroll, (in form of affidavits) reflecting upon his official conduct, have had the same under consideration, and respectfully report—That upon the invitation of your committee, the memorialist appeared, and through Warren Akin, Esq., his friend and counsel, explained the circumstances respecting his alleged misconduct in the counties of Carroll and Gilmer, and submitted testimony (oral and written) which, in the opinion of your committee, wholly exonerates him from the grave charges made in said affidavits, and in the Presentments of the Grand Jury of Gilmer county recently published. And regarding that testimony, which contained all the evidence laid before said Grand Jury, and a part of which is made by members thereof, and by the very affidavits, whose depositions induced the action of said jury, as amply sufficient for all the purposes of a fair investigation—your committee deemed it unnecessary to send for persons and papers, or further investigate the matters referred ; and desiring to avoid all enquiry into the

motives of any whose names may be intentionally and prominently, or perhaps accidentally, connected with said affidavits and presentments, your committee submit, without comment, and as a part of their report, the accompanying record of the testimony, and respectfully ask, as an act of simple justice to the memorialist, whose character as a sworn officer of the State, has been publicly and solemnly, and (as your committee believe) wrongfully impeached, that the same may be published.

JOHN A. CRAWFORD,  
Chairman Special Committee.

Mr. Pickett, from the Special Committee on the memorial of Col. E. D. Chisolm, made the following minority report, to wit :

The minority of the Special Committee, to whom was referred the memorial of Col. Edward D. Chisolm, beg leave to make this report—Col. Edward D. Chisolm, Solicitor General of the Blue Ridge Circuit, having presented to the House of Representatives his memorial, asking the Legislature of Georgia to inquire into and report upon his conduct as Solicitor General, in relation to a charge made against him by the Grand Jurors of the county of Gilmer; according to that request, a committee was appointed, a majority of which proceeded to take the affidavits and certificates which were presented by the attorney of Col. Chisolm and himself in person, and upon that testimony, after being argued by the counsel Col. Chisolm, the majority agreed to make out their report. The minority think justice and equity demand that the testimony should be taken on both sides—that papers and persons should be sent for, and the witnesses be put upon the stand and cross-examined by both parties, in order that the whole truth might appear, and justice be done Col. E. D. Chisolm, as well as the Grand Jurors of Gilmer county. All of which is respectfully submitted.

Signed,

JOSEPH PICKETT,  
JOHN A. HEADEN,  
ALEX. McDOUGALD,  
GEO. P. HARRISON.

Mr. Trice moved to print one hundred and fifty copies of the foregoing reports, with the accompanying evidence; which was agreed to.

Mr. Pottle moved to postpone the special order of the day, which was a bill to be entitled an act for the pardon of Newton J. Carr, until to-morrow, 3 o'clock, P. M.; which was agreed to.

On motion of Mr. McCurdy, the House took up the Senate's amendments to the bill to be entitled an act to incor-



porate the Forsyth and Lumpkin Rail Road—and concurred in the same.

The House took up the Senate's amendments to the bill to be entitled an act to lay out and form a new county from the counties of Muscogee and Marion, and organize the same—and concurred in the same.

The following message was received from the Senate, by Mr. Moore, their secretary to-wit :

*Mr. Speaker*—The Senate has passed the bill of the House to change the corporate name of the Marine & Fire Insurance Bank of the State of Georgia, with amendments, in which they ask the concurrence of the House.

The House took up the amendments of the Senate, to the bill to be entitled an act to authorize his Excellency, the Governor, to draw his warrant upon the Treasury, in favor of Drewry W. Taylor, of Houston county, for twenty-two dollars and ninety-six cents, for monies advanced by him to pay for advertising lands, and for commissions for selling the same, under the provisions of an act approved December the 30th, 1847—and concurred in the same.

The House took up the amendments of the Senate to the bill to be entitled an act to appoint certain Commissioners for Savannah River, approved February 23d, 1850—and concurred therein.

The House took up the Senate's amendments to the bill to be entitled an act to alter and change the corporate name and style of the Marine & Fire Insurance Bank of the State of Georgia, to the corporate name and style of the Marine Bank of Georgia, and to authorize the same to increase the capital thereof, and to establish branches—and concurred therein.

The House took up the Senate's amendment to a bill to be entitled an act to incorporate the Georgia Mining Company, and to grant certain powers and privileges to the same—and concurred therein.

The House took up the amendments of the Senate to the bill to be entitled an act to change the name of Joseph D. Bartlett, and to legitimize said Joseph D. Bartlett—and concurred therein.

The House took up the amendments of the Senate to the bill to be entitled an act to amend an act entitled an act to incorporate the Coosa & Chattooga River Rail Road Company—and concurred in the same.

The House took up the Senate's amendment to the bill to be entitled an act to attach a portion of Crawford county to the county of Taylor—and concurred in the same.

The House took up the Senate's amendments to the bill to be entitled an act to authorize James Lesseter of the county of Decatur, a minor, to transact his own business, in the

same manner, and subject to the same responsibilities, as though he was of full age, and for other purposes—and concurred in the same.

The House took up the Senate's amendments to the bill to be entitled an act to incorporate a bank, to be called the Exchange Bank of the city of Savannah—and concurred in the same.

The House took up the Senate's amendment to the bill to be entitled an act to authorize Drs William D. Quinn and James H. Lane, of the county of Wilkes, to practice medicine, charge for the same, for other purposes therein specified—and concurred in the same.

The House took up the report of the committee on the bill to be entitled an act to incorporate the Wilkes Plank or Rail Road Company.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to incorporate a volunteer corps of infantry at Thomasville, in the county of Thomas, to be known by the name and style of the Thomasville Guards—to authorize the Governor to furnish them with arms and accoutrements, and to grant certain privileges and exemptions to the same.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to incorporate the Washington & Petersburg Rail Road Company,

Mr. Redding offered the following amendment, which was agreed to, to wit :

*“Provided, That nothing in this charter shall exempt said company from liability, and they are hereby made liable under existing laws, or in any other manner that the Legislature may by law provide, for all damages sustained by any individual, or individuals, from the loss or crippling of all kinds of stocks, or any other species of property whatever by the running of the locomotives, cars, engines or any other motive power, on said road ; and also are, and shall be liable, for all injuries received by any individual, or individuals, or damage done him, her or them, by the running said cars engines or locomotives, or any other motive power on said road ; and in the event death ensue, then the right of action, or recovery, shall survive to his, her or their representative or representatives, against said company for said damages ; and in all suits and controversies arising from the causes afore said, the said company, shall be considered as *prin a facie* a fault, and the burthen of proof showing themselves excusable shall rest upon said company.*

*“Provided further, That the stock in said Rail Road Company shall, at all times, be subject to such tax as the present, or any future Legislature, may desire to levy on the same.”*

Mr. Irwin moved to amend the 2d Section by inserting after the words “Savannah River,” the words “with the privilege of going to the east bank;” which was agreed to.

The report, as amended, was agreed to. The bill was read the third time and passed.

The following message was received from the Senate by Mr. Moore, their Secretary :

*Mr. Speaker*—The Senate has passed the following bills of the House of Representatives, to wit :

A bill to incorporate the Dalton and Copper Mines Turnpike, Plank & Rail Road Company. Also,

A bill to compensate the Grand and Petit Jurors of the counties of Hall, Washington, Lincoln, Scriven and Gordon, and for other purposes. Also,

A bill to appropriate money to Francis Rivier and others, for expenses incurred by them in pursuing and apprehending certain robbers. Also,

A bill to change the name of Rebecca Gertrude Garland, John Darius Garland, and James William Garland, to the names of Rebecca Gertrude Herringdine, John Darius Herringdine, and James William Herringdine, and legitimize the same. Also.

A bill to authorize Jacob A. H. Reviere, Receiver of Tax Returns of Warren county, to appoint an assistant. Also,

A bill to legitimize Matilda Officer, wife of Thomas M. Officer, and for other purposes. Also,

A bill to alter and amend an act to compensate the Grand and Petit Jurors of Muscogee county, and to authorize the Justices of the Inferior Court of said county, to levy and collect a tax for such purpose, and for other purposes therein contained, approved the 21st December, 1849, so far as to require the Clerks of the Superior and Inferior Courts of said county, to pay over to said Jurors, the full amount of all jury fees, in addition to one dollar per day now allowed by the above recited act. Also,

A bill for the relief of Needham Smith, of Houston county. Also,

A bill to change the name of Roscoe Tallulah Clay Niles, to that of Roscoe Clay Wallace ; also, to change the name of Jennette Millar Barrow Niles, to that of Jennette Millar Barrow Wallace ; also, to change the name of Ophelia Celestia Wood, to that of Ophelia Celestia Bilbro, and to legitimize said Ophelia Celestia Bilbro, and for other purposes.

The Senate has also passed the following bills of the House

of Representatives, with amendments, in which they ask the concurrence of the House of Representatives, to wit :

A bill to protect the citizens of Dade county from the injurious consequences of cattle speculators driving stock through said county, and spreading distempers, to the destruction of stock. Also,

A bill to submit the question of the removal of the court house of Macon county to the people thereof, and the place of its location—and in case they elect to remove it, to authorize the Inferior Court to sell the court house ; to negotiate for the site that may be elected, and to levy an extra tax for building the new court house. Also,

A bill to incorporate the Masonic Female College, in Lumpkin. Georgia. Also,

A bill for the relief of Mary Roberts of Hall county.—Also.

A bill to incorporate the town of Campbellton, in Campbell county—to appoint Commissioners of the same, and to make permanent the public buildings ; also, to appoint Trustees for Clayton Academy in the county of Rabun, and for Villanow Academy, in Walker county, and to incorporate the same.

The Senate has also concurred in the amendment of the House to the amendment of the Senate to the bill of the House of Representatives, to change the lines between the counties of Cass and Gordon, and for other purposes ; and changing the residences of certain persons to certain other counties.

The Senate has also passed a bill to authorize the Justices of the Inferior Court of Baldwin county, to issue bonds, &c.

The House took up the report on the bill to be entitled an act to incorporate the Wilkes Plank or Rail Road Company.

Mr. Redding offered the following amendment, which was agreed to to wit :

*“Provided, That nothing in this charter shall exempt said company from liability, and they are hereby made liable under existing laws or in any other manner that the Legislature may by law provide for all damages sustained by any individual or individuals from the loss or crippling of all kinds of stock or any other species of property whatever, by the running of the locomotives, cars, engines or any other motive power on said road, and also are and shall be liable for all injuries received by any individual or individuals, or damage done him, her or them by the running of said cars, engines, locomotives, or any other motive power on said road, and in the event death ensue, then the right of action or recovery shall revive to his, her or their representative or representatives against the said company for said damages*

and in all suits and controversies arising from causes aforesaid, the said company shall be considered as *prima facie* at fault, and the burthen of proof showing themselves excusable shall rest upon said company. Provided further, That the stock in said rail road company shall at all times be subject to such tax as the present or any other future Legislature may desire to levy on the same."

Mr. Trice offered the following amendment, which was accepted :

Provided, That said company nowhere obstruct the public highway by the building of said road :

The report, as amended, was agreed to ; the bill was read the third time and passed.

The House went into Committee of the Whole, Mr. Arnold in the Chair, on the bill to be entitled an act to appropriate money to the Savannah Medical College, and after sometime spent therein, the committee rose and reported the bill back to the House without amendment.

The report was disagreed to, and the bill was read the third time and lost.

The House took up the report of the committee on the bill to be entitled an act for the relief of T. E. C. Butts.

The report was disagreed to, and the bill was read the third time and lost.

The House took up the report of the committee on the bill to be entitled an act to authorize Patrick Goff, of the county of Lee, to establish a ferry across Flint River, on his own land.

Mr. Henderson offered the following amendment, to-wit :

"*And be it further enacted*, That William S. Grogan be authorized to charge and collect toll for crossing his ferry on the Cnattahoochee in DeKalb county, and that he be made liable for losses sustained in crossing said ferry, when the same is caused by fault or neglect of said William S. Grogan ;" which was accepted.

Mr. Gross offered the following amendment, to-wit :

"*And be it further enacted by the authority aforesaid*, That Thomas H. Burns and John M. Burns of the county of Scriven be, and they are hereby authorized to establish a ferry on Savannah River at the mouth of Briar Creek on their own land, in the county of Scriven, and that the rates of toll for crossing said ferry shall be made by the Inferior Court of said county ; which was accepted.

Mr. Moody offered the following amendment, to-wit :

"*And be it further enacted by the authority aforesaid*, That Manning J. Moody of the county of Tattnall be and he is hereby authorized to construct a bridge on his own land across Great Canoochee River, and that he be allowed to charge, the following rates of toll for crossing said bridge, and that

this charter be of force for thirty years, and that the following be the rates, to-wit :

Man and horse,	6 1-4 cents.
Single horse,	5 "
Horse and cart,	12 1-2 "
Horse and wagon,	18 3-4 "
" " buggy,	25 "
Two horses and wagon,	25 "
Four horses and wagon,	25 "
Two " " carriage,	50 "
Cattle, per head,	2 "

The report, as amended, was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to lay out and organize a new county from the counties of Cass, Cherokee, Cobb and Paulding, and for other purposes therein mentioned.

Mr. Linn moved to fill up the blank with Altona, which was agreed to.

The report of the Committee on New Counties being unfavorable to the passage of the bill, and upon the motion to agree to the report of the Committee on New Counties, the yeas and nays were required to be recorded, upon the call of Mr. Keith, and are : yeas 69, nays 11.

Those who voted in the affirmative are Messrs.

Andrews	Harrall	Pickett
Arnold,	Hatton,	Poole,
Armstrong	Hardeman,	Redding
Bostwick,	Hardison,	G R Reid
Boatright,	Headen,	M. Reid,
Brown,	Henderson,	Reynolds
Cameron.	Hood,	Rice,
Clark,	Irwin,	Richardson.
Benj. Cleveland,	Jones,	Riley
W C Cleveland	Latham	Shewmake,
Clements.	Mangham	W. R. Smith
Dawson,	Masters,	Stapleton
Dubignon	Maxwell,	Stephens,
Eberhart,	Manor,	J Stewart
Fish,	McCurdy,	Strickland
Griffin,	McLean,	Strother.
Gross	McMullin	Sweat,
James Hardin,	McWhorter,	Thornton,
Haynie	Mobley,	Trice
Harris	Moody	Turner
Harrison	Nichols,	J H Walton,

Whitworth,	Williamson,	Young,
H. L. Williams,	Woodward,	Yopp.

Those who voted in the negative are, Messrs.

Adams,	Keith	Phillips,
Alread.	Linn	Powell,
Crawford,	McGregor,	R. A. Robinson,
Fields	Paris,	

So the report was agreed to, and the bill was read the third time and lost.

The following message was received from the Senate by Mr. Moore, their Secretary :

*Mr. Speaker*—The Senate has passed a bill to amend the several acts now in force, regulating and establishing the fees of certain officers, so far as relates to the county of Cobb and of certain other counties therein named.

The House took up the report of the committee on the bill to be entitled an act for the relief of Ellison Groce.

The report was not agreed to; the bill was read the third time and lost.

The House took up the report on the bill to be entitled an act to incorporate the town of Fairburn, of Fayette and Campbell.

Mr. Latham moved to amend the bill by striking out "one fourth of a mile," and insert in lieu thereof, "six hundred yards;" which was agreed to.

The report, as amended, was agreed to; the bill was read the third time and passed.

Mr. Gartrell from the Committee on Enrolment, reported the following bills as duly enrolled, to-wit :

A bill to be entitled an act to incorporate the City Bank in the city of Augusta.

A bill to be entitled an act to appropriate a sum of money to John R. Jenkins of Pike county, for expenses and services therein mentioned.

A bill to be entitled an act to amend an act entitled an act to prescribe and point out the mode of collecting coroners fees in the several counties of this State, passed December 22d, 1835.

A bill to be entitled an act relative to continuances in certain cases therein named, and for other purposes. And,

A bill to be entitled an act to open and construct a rail road commencing at some point between Marietta and Calhoun, to be determined by a majority of the Stockholders herein incorporated, and thence the most practicable route by Ellijay in Gilmer county, to, or near the mouth of Fighting Town Creek, at the Copper Mines in the county of Gil-

mer; also, to incorporate the Thomaston and West Point, and Thomaston and Milledgeville Rail Road Companies.

The House took up the report of the committee on a bill to be entitled an act to protect ferry boats and other water crafts used in ferrying over any of the rivers and waters of this State from wanton injuries committed by steam boats navigating the same, and to authorize the recovery of damages for injuries sustained by such collision, and to define the mode of procedure in such cases.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the bill to be entitled an act for the relief of John F. Green.

The report was agreed to; the bill was read the third time and passed.

On motion, leave of absence was granted to Mr. Pottle after Saturday, on special business.

On motion of Mr. Clark, the House adjourned until half past two o'clock, P. M.

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### HALF-PAST TWO O'CLOCK, P. M.

The House met pursuant to adjournment.

The House took up the report of the committee on the bill to be entitled an act to alter and amend an act entitled an act for the relief of Sheriffs in certain cases, passed the 22d of December, 1829, so far as relates to the Sheriff of Lowndes county.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the bill to be entitled an act to repeal all the laws respect the importation of Slaves into this State for sale or hire, and for other purposes therein named.

Mr. Pottle moved to postpone the bill indefinitely; upon which motion the yeas and nays were required to be recorded, at the call of Mr. McDougald, and are: yeas 43, nays 32.

Those who voted in the affirmative are Messrs.

Alread  
Arnold  
Bostwick  
Boatright  
Cameron,  
Clark,

Cody,  
Eberhart  
Fields,  
Grant,  
W P. Harden,  
Hardeman,

Hays.  
Headen,  
Jones  
Leverett  
Maxwell.  
McCurdy,



McGregor,	Redding,	W. A. Walton,
McMullin,	M. Reid,	H. L. Williams,
McWhorter.	Rumph,	A J Williams,
Mobley,	Shewmake	Williamson,
Moody,	W R. Smith.	Williford
Moughon	Stephens,	Woodward,
Phillips,	Strother,	Yopp.
Pickett,	Turner	
Pottle,	J. H. Walton,	

Those who voted in the negative are Messrs.

Adams,	Haynie,	G. R. Reid,
Andrews,	Harrison,	Rowell,
Calloway,	Harrall,	Stapleton,
Benj. Cleveland,	Hardison,	J. Stewart
W C Cleveland	Henderson,	Stokes
Crawford,	Keith,	Sweat,
Crittenden	Mangham,	Trice,
Denham	Manor,	West
Gartrell,	McDougald,	Whitworth,
Green	Paris,	Young
James Hardin,	Poole,	

So the motion was agreed to.

Mr. Gartrell, from the committee on enrolment, reported as duly enrolled, the bill to be entitlee an act to incorporate the Brunswick Improvement Company.

The House took up the report on the bill to be entitled an act to alter and change the line between the counties of Pickens and Cherokee.

The report was agreee to, and upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded, at the call of Mr. Alread, and are : yeas 30, nays 49.

Those who voted in the affirmative are Messrs.

Alread	Gross	Riley,
Anderson	Harris,	R A Robinson
Armstrong	Irwin	Rowell,
Bostwick	Martin,	Shewmake,
Brown,	McMullin,	Stapleton,
Calloway,	McWhorter,	Strother,
Cameron,	Paris	Thornton,
Cody,	Pottle,	W A. Walton,
Dubignon.	Powell.	A J Williams
Grant,	Redding,	Woodward,

Those who voted in the negative are Messrs.

Adams	Hamilton,	Poole,
Andrews	Headen,	G. R. Reid,
Clark,	Henderson,	M. Reid,
Benj. Cleveland,	Keith,	Richardson,
W. C. Cleveland,	Latham,	J. Stewart,
Crittenden	Linn,	Stokes,
Denham,	Mangham	Sweat
Eberhart,	Masters	Trice,
Fields,	Maxwell	West,
Fish	Manor,	Whitworth
Griffin,	McCurdy,	H. L. Williams,
W. P. Harden,	McDougald,	Williamson,
J. Hardin	Moody	Wilson,
Haynie	Moughon	Williford,
Harrison,	Nichols.	Young,
Hays,	Phillips.	
Hardison	Pickett,	

So the bill was lost.

The House took up the report of the committee on the bill to be entitled an act to authorize the election of Marshal for the town of Newnan, in the county of Coweta, in the same way and manner as commissioners for said town are now elected by law.

The report was agreed to. The bill was read the third time and passed.

The House went into Committee of the Whole, Mr. Harrison in the Chair, on the bill to be entitled an act to alter an act entitled an act to appropriate a sum of money to build a road over the Lookout Mountain, in the Counties of Walker and Dade, approved February 23d, 1850, and for other purposes; and after some time spent therein, the committee rose and reported the bill back to the House without amendment. Mr. Riley offered the following amendment, to wit:

*“Provided, That the one half of said sum be appropriated for the purposes of cutting a road through the Gap, leading from Dahlonga to Blairsville called the Gadistown Gap;”* which was accepted.

The report, as amended was agreed to, and upon the question “Shall this bill now pass?” the yeas and nays were required to be recorded, at the call of Mr. Clark, and are: yeas 49, nays 32.

Those who voted in the affirmative are Messrs.

Alread,	Calloway,	Crawford,
Anderson,	Benj. Cleveland,	Dubignon
Brown,	Cody,	Eberhart

Graat,	McGregor,	Stapleton
Greep,	McMullin,	L S Stewart.
W P Harden,	Moody.	Strother,
J Hardin	Moughon	Thornton,
Hayne,	Paris,	Turner,
Hardeman,	Phillips,	W. A. Walton,
Hamilton	Pickett,	West,
Irwin,	Poole,	A J Williams
Keith	Pottle,	H L Williams
Latham,	Powell	Wilson
Mangham,	Riley,	Woodward.
Martin,	R A Robinson,	Young.
McCurdy,	Rowell	
McDougal,	Wm. Smith,	

Those who voted in the negative are Messrs.

Adams,	Harrison.	G R Reid
Andrews,	Harrall	M. Reid,
Arnold	Hardison	Reynolds.
Armstrong	Headen,	Richardson,
Bostwick,	Henderson,	Shewmake,
Cameron,	Linn,	W Smith
Clark,	Masters,	J. Stewart,
W. C. Cleveland,	Maxwell,	Sweat,
Clements	Manor,	Trice,
Fields,	McWhorter,	Whitworth,
Fish,	Mobley,	Williamson,
Griffin	Nichols,	Williford
Harris,	Redding,	Yopp.

So the bill was passed.

The House took up the report on the bill to be entitled an act to authorize James W. Heard, of Fayette county to peddle without license.

Mr. Nichols moved to lay the same on the table for the balance of the session which was agreed to.

The following Message was received from His Excellency the Governor, by his Secretary, Mr. DeGraffenreid, to wit:

EXECUTIVE DEPARTMENT, }

MILLEDGEVILLE, GEO., February 9th, 1854. }

*To the Senate and House of Representatives :*

My immediate predecessor, in his last message to the General Assembly, called your attention to the fact, that suits have been commenced against the Western & Atlantic Rail Road, in the State of Tennessee. Apprehending that you may adjourn without acting upon this important subject, I respectfully urge it again upon your attention. These suits

are commenced by virtue of a special statute of Tennessee, designed no doubt to apply particularly to the Road. I have not been able to obtain a copy of the acts of 1852, in our Library, but I am furnished with a transcript, from the law authorizing the suits, in a private letter, which I have no doubt is correct; it is as follows:

*"Be it enacted,* That when any Rail Road extends into this State from an adjoining State, and the President or head officer of said Road resides beyond the limits of Tennessee, a right of action for the redress of any injury caused by, or for any claim or demand against the Corporation, Company, Proprietor or Rail Road, shall exist in this State in any Court or Judicial tribunal, having jurisdiction thereof against such road, Proprietor or Company and process may be served upon any Depot agent of such road, residing in this State, in the absence of the President or head officer of said road, and the judgment which may be rendered in favor of any claimant shall be rendered against the Company or road, in the name by which it transacts its business, and the property, real or personal, belonging to such company or road, within the limits of this State shall be liable to the satisfaction of said judgments."

The 8th Section provides, "That no statute of limitation, shall be a bar, when the head officer resides out of the State of Tennessee."—*Laws of Tennessee*, 1851 '2, page 337.

Under this act many suits have already been commenced, and several more likely to be, involving large amounts, and necessarily tending to expensive, annoying and protracted litigation.

In Tennessee the Magistrates Courts have jurisdiction for sums as high as fifty dollars. Hence you will perceive that the road is liable to be impleaded even in Justices Courts in Tennessee. Well might my predecessor say, "we have a right to complain of this proceeding on the part of our neighbors, as it was principally to gratify them that the doors of our own Courts were thrown open to claimants against the State road." I repeat the complaint, and would ask whether the causes that provoke it are to be perpetual? Can it be believed that the fraternal and neighborly feelings which should characterize the intercourse of conterminous sister States, are to be jeopardized without an effort to prevent it?—Can it be possible that Tennessee will persist in a policy which presents the humiliating spectacle of a sovereign State being impleaded at the tribunal of a Justices Court, in her own jurisdiction? She will not, if the subject shall be fairly represented before her enlightened representatives, or if she should, it is to be hoped that Georgia, animated by a proper sense of self respect, and a regard for her own rights, will adopt such measures of redress or prevention as will save her for the future, from further annoyance.

I would not suggest any harsh action on our part. I would not utter a word which could be construed into a menace, that would be as unworthy of Georgia as it would be unkind to Tennessee. I would advise nothing that would endanger our friendly relations with her ; but on the contrary, that we should exhaust every method of courteous negotiation. This is the spirit by which we should be actuated. But still this General Assembly should not adjourn until, in its wisdom, it has adopted the initiatory steps for a friendly negotiation with Tennessee upon this important subject. I therefore respectfully recommend to the Legislature to designate by law the location of the head of the Western & Atlantic Rail Road, and the place where all suits shall be commenced against it. I would further submit respectfully to the Legislature that it would be wise to authorize the appointment of one or more Commissioners to repair immediately to the Legislature of Tennessee now in session, with instructions to procure if possible the repeal of the obnoxious law of February 26th, 1852, and in its stead such reciprocal Legislation as would save us from future collision and perpetuate our fraternal intercourse. Tennessee has a line of Rail Road extending into Georgia, over as much or more territory than our State Road traverses within her jurisdiction. It is believed that this fact alone may be made the basis of a successful and happy negotiation. It suggests a very simple, and it would seem a just proposition to Tennessee.— Let it be understood and agreed between the two States, that all suits which may be necessary by the citizens of the one, to enforce claims against a Rail Road built or chartered by the other, shall be brought in the State that chartered or built the same, reciprocally. This will settle the whole difficulty. If this view should strike your minds as sound and judicious, it is believed that it may be carried into effect by the appointment of suggested Commissioners. This department, however, is wedded to no particular plan. I believe something must be done ; it is a matter of paramount importance, and it will afford me great pleasure to co-operate in, and zealously carry into effect any plan of adjustment with the State of Tennessee which you in your wisdom may adopt.

#### HERSCHEL V. JOHNSON.

Mr. Phillips moved to refer the foregoing message to a special committee of seven ; which was agreed to.

The Chair appointed on the Special Committee, Messrs. Phillips, McDougald, Crawford, Latham, Walton of Richmond and Thornton.

The House went into Committee of the Whole, Mr. Arnold in the Chair. on the bill to be entitled an act to appropriate a certain sum of money therein named, for the relief of Nathan Fomby and Zachariah Slayton of the county of

Heard, and after some time spent therein, the committee rose and reported the bill back to the House, without amendment.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to authorize Joseph H. Mitchell, of the county of Franklin, to erect and keep up a toll bridge across the Middle River, on his own land, in said county.

The report was agreed to. The bill was read the third time and passed. Also,

A bill to be entitled an act to authorize the proper officers to issue a grant for fraction No. 2, in the 33d district of originally Lee county, to the *bona fide* holder of the certificate for same, under certain restrictions therein mentioned.

The report was agreed to. The bill was read the third time and passed.

Mr. Garrell from the Committee on Enrolment, reported the following bills as duly enrolled, to-wit :

A bill to incorporate the Savannah and Florida Steamboat and Loat Company.

A bill for the relief of Richard Myrick of Pike county.

A bill supplementary to an act entitled an act to organize a Volunteer Battalion in the city of Savannah, to be called the Independent Volunteer Battalion of Savannah, approved January 20th, 1852.

A bill to incorporate the town of Whitesville, in the county of Harris, and to provide for the election of commissioners for the same.

A bill to authorize the Governor to apply seventy-five thousand dollars to the redemption of any bonded liabilities of this State, &c.

A bill to regulate the collection of Juries' fees of the Superior and Inferior Courts in the county of Cobb.

A bill to allow executors, administrators and guardians to resign their trusts on certain conditions.

A bill to remove certain election precincts in the counties of Coweta, DeKalb and Appling.

A bill to amend an act for the better protection and security of orphans and their estates, approved February 18th, 1799, by extending the provisions of the 5th Section thereof to the trustees of their estates.

A bill to incorporate the Clinch Rifles Loan Association.

The House took up the report of the committee on the bill to be entitled an act to divorce Joseph Cook and his wife Sarah Cook, of the county of Campbell.

The report of the committee was agreed to. The bill was read the third time and lost.

The House took up the report on the bill to be entitled an act to incorporate a company to be known by the name and

style of the Marietta Fire Company, and to grant them certain privileges and exemptions.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the bill to be entitled an act to carry into effect the amended Constitution of this State in reference to the Ordinaries of said State, and for other purposes, assented to January 21st, 1853, so far as relates to the county of Chatham in said State.

The report of the committee was agreed to. The bill was read the third time and passed.

The House went into Committee of the Whole, Mr. Harrison in the Chair, on the bill to be entitled an act for the relief Rebecca B. B. Cohen and Perla S. Solomons, and after some time spent therein, the committee rose and reported the bill back to the House with the amendments.

On motion of Mr. Ward, the bill was referred to the committee on Finance.

The House took up the report on the bill to be entitled an act to divorce Robert J. Levar, and his wife, Adeline Levar, formerly Adeline Benford, of the county of Twiggs.

The report was agreed to. The bill was read the third time and lost.

The House took up the report of the committee on the bill to be entitled an act to regulate the appointment of Clerks and Sheriffs.

The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to incorporate Jasper Free Lodge, No. 50, of free and accepted masons.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to incorporate the Oglethorpe Mutual Loan Association, in the city of Savannah.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to bill to be entitled an act to authorize the Ordinary of Jasper county to pay the several teachers of poor children their accounts for teaching poor children in said county.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to compensate the managers of elections in Lincoln county.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill

to be entitled an act to incorporate the stockholders in the Montgomery Railroad company, in the State of Georgia, to give them the right to extend the Opelika branch of their railroad across the Chattahoochee river, and to locate and use a depot on their own land in Georgia.

Mr. Phillips offered the following amendment, to come in before the repealing clause; which was agreed to.

*"And be it further enacted, That John R. Stanford, Philip Martin, John Starrett, John H Wiley and their associates be and they are hereby declared a body corporate and politic, with power to construct, use and keep a Railroad from Clarksville in Habersham county, by the most practical route, through the Hightower Gap to the Tennessee line, so as to approach as near as convenient and practicable to the Copper Mines in Polk county, and the said company shall have and enjoy all the rights and privileges, and be subject to all the restrictions and liabilities provided for in the charter of the North Eastern Railroad company.*

Mr Thornton offered the following amendment, which was agreed to, to wit :

*"Provided, Said Railroad company shall not cross said river except at the place designated by the Mayor and City Council of Columbus, and shall not build their depot at any other place except at such place as said Mayor and City Council may designate and agree upon with said Railroad company, and upon such terms as may be agreed upon between the parties."*

Mr. McDougald offered the following amendment to Mr. Thornton's amendment, to wit :

*"And a majority of the legal voters of the city of Columbus—said majority to be ascertained by a poll to be opened under the authority of the city council of the city of Columbus, after twenty days' notice in the public gazettes of said city—and it shall require a majority of all the votes polled in said city, at the last preceeding January election in said city for Mayor and Alderman and other city officers "*

Upon the motion to adopt the amendment to the amendment, the yeas and nays were required to be recorded—at the call of Mr. McDougald—and are: yeas 37, and nays 44.

Those who voted in the affirmative are Messrs.

Adams	Eberhart,	Latham
Brown	Fields	Maxwell
Benj. Cleveland,	Green	Manor
W C. Cleveland,	Gross,	McDougald,
Crawford,	Hays,	McMullin,
Crittenden,	Headen	Mobley,
Dawson	Keith	Moody.



Moughon	Rumph,	West,
Nichols,	L. S. Stewart,	H L Williams
Redding	Strother	Wilson,
G. R. Reid,	'Trice,	Young,
Richardson	Turner,	
Riley,	J. H. Walton,	

Those who voted in the negative are, Messrs.

Alread,	Hatton,	Reynolds,
Anderson,	Hamilton,	Rowell,
Andrews,	Henderson,	Rucker
Arnold	Hood	Shewmake,
Bostwick,	Linn,	W. R. Smith,
Cameron,	Mangham,	Stapleton
Clark	Martin	Strickland
Cody,	Masters,	Thornton
Denham,	McCurdy	W A Walton
Fish	McGregor,	A J Williams
Grant,	McWhorter	Williamson,
Haynie,	Paris	Williford
Harris,	Poole	Woodward
Harrison	Pottle	Yopp
Harrall,	M Reid,	

So the amendment to the amendment, was lost.

Mr. McDougald offered the following amendment to Mr. Thornton's amendment.

*"Provided,* Said company may pay to the Mayor and Aldermen of the city of Columbus, for the use of said city, not less than five thousand dollars annually, or any other sum above that amount that may be agreed upon between said company and the Mayor and Aldermen of said city, for the privilege of crossing the Chattahoochee river, within the limits granted to said city, to build a bridge.

Upon the adoption of Mr. McDougald's amendment to Mr Thornton's amendment, Mr Ward required the yeas nays to be recorded, which are : yeas 3, nays 73.

Those who voted in the affirmative are, Messrs.

Green	McDougald,	Riley,
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Those who voted in the negative are, Messrs.

Adams,	Andrews	Bostwick,
Alread,	Arnold,	Clark
Anderson,	Armstrong,	Benj. Cleveland,

Cody,	Martin	Rumph,
Denham,	Masters,	Shewmake,
Eberhart	Maxwell,	Stapleton,
Fields,	Manor,	Stephens,
Fish	McCurdy,	L. S. Stewart,
Grant,	McMullin,	Strother,
Griffin,	McWhorter	Sweat
Haynie	Mobley,	Thornton
Harris,	Moody,	Trice,
Harrison,	Moughon	Turner,
Harrall,	Nichols,	W. A. Walton,
Hardison	Paris,	J. H. Walton,
Hardeman,	Phillips	H. L. Williams,
Hardison	Poole,	A. J. Williams,
Hatton,	Pottle,	Williamson
Headen,	Redding,	Wilson
Henderson,	G. R. Reid,	Williford,
Hood,	M. Reid,	Woodward,
Irwin,	Reynolds,	Young,
Keith	Richardson,	Yopp.
Linn,	Rowell,	
Mangham,	Rucker	

So the amendment was rejected.

The report of the committee as amended was agreed to.—  
The bill was read the third time and passed.

The House took up the engrossed bill to be entitled an act to increase the jurisdiction of the Juistices of the Peace of the city of Milledgeville, and to increase the fees when the principal exceeds thirty dollars.

The bill was read the third time and lost.

The House took up the report on the bill to be entitled an act to prevent the obstruction of the Ogeechee river by saw dust, slabs, &c., &c.

The report was disagreed to, and the bill was lost.

The House took up the report on the bill to be entitled an act to divorce Betsey Ann McDowell from her husband, Lemuel McDowell.

On motion of Mr. McCurdy, the bill was laid on the table for the balance of the Session.

On motion of Mr. McMullin, the House adjourned until half-past 7 o'clock, P. M.

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#### HALF PAST SEVEN O'CLOCK, P. M.

The House met pursuant to adjournment.

The House proceeded to read Senate bills the second time.

The House took up the following bills of the Senate, read them the second time and ordered them to be committed for a third reading, to wit:

**A bill to be entitled an act to amend the act relative to Ordinaries.**

A bill to be entitled an act to establish a ferry on the Chattahoochee river in Early county.

A bill to be entitled an act to authorize Isaac E. Bower to build a bridge across Ichwaynochiway, and Lynch to establish a ferry across Connasauga river.

A bill to be entitled an act to change the name of Griffin Collegiate Seminary.

A bill to be entitled an act to alter and amend an act entitled an act to compel all persons taking up runaway slaves to deliver them up to jailors, and for other purposes therein mentioned; assented to 22d of February, 1850.

A bill to be entitled an act to alter and amend the 2d section of the 4th article of the Constitution of this State, and to alter and amend said constitution in all its parts, which may conflict with the provisions of this amendment.

A bill to be entitled an act to amend an act to incorporate the Augusta and Waynesboro Railroad, passed 31st December, 1838, and the acts amendatory thereof.

On motion of Mr. Phillips, the House proceeded to read bills of the Senate third time.

The House took up the report on the bill to be entitled an act to alter and amend the 7th section of an act entitled an act to carry into effect the amended Constitution of this State, in reference to the Ordinaries of said State, and for other purposes, assented to January 21st 1852, so far as to authorize the Ordinary of Polk County, to keep his office closed except on Tuesdays in each and every week.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the bill to be entitled an act to incorporate the Ladies Hebrew Benevolent Society of Savannah.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the bill to be entitled an act to incorporate the Atlanta Medical College, and for other purposes therein mentioned.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee to be entitled an act to change the line between the counties of Walker and Gordon, and to attach a portion of Walker to said county of Gordon, and the line between the counties of Walker and Catoosa, and also, the line between the counties of Macon and Taylor.

Mr. McCurdy moved to lay the same upon the table for the balance of the session; which was agreed to.

The House took up the report on the bill to be entitled an act to change the line between the counties of Floyd and Polk and the line between the counties of Campbell and Polk, and to define the same.

Mr. Latham moved to amend the bill by striking out all that part which refers to the county of Campbell, which was agreed to.

The report, as amended, was agreed to. The bill was read a third time and passed.

The House took up the report on the bill to be entitled an act to incorporate a Dahlonga Testing and Mining company under such process as they may deem best for gold, copper, or other minerals, peculiar to the gold region of Georgia.

The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to incorporate the Upson Female School, located at Thomaston, with power to appoint a President and Directors, confer collegiate degrees, and for other purposes therein named.

The report of the committee was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to change the line between the counties of Monroe and Crawford; and also, to change the line between other counties therein mentioned.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the House bill to be entitled an act to alter and change the line between the counties of Houston and Dooly, so that lots of land number 80 and 81 of the 3d District of Dooly county, and the residences of James Smith, and William F. Griffin of Dooly county, be included within the county of Houston.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to repeal all laws consolidating offices of Receivers of Tax Returns and Tax Collectors in the county of Clarke.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to incorporate the Talmage Normal Institute, located in the town of Irwinton, and to appoint trustees for the same, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on a Senate bill to be entitled an act to protect the owners of lands or tenements against intruders.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of a Senate bill to be entitled an act to incorporate the Baptist Female Orphan School.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the Senate bill to be entitled an act to change the line between the counties of Wilkes and Taliaferro; also, to change the line between certain other counties therein designated.

Mr. Richardson moved to strike out so much as related to the county of Lee.

Upon which motion, the yeas and nays were required to be recorded, at the call of Mr. Rowell, and are: yeas 43, nays 26.

Those who voted in the affirmative, are Messrs.

Alread	Irwin	Shewmake,
Arnold,	Linn,	Stapleton,
Calloway	Martin	Stephens,
Cameron,	Maxwell,	Strother,
Clark	McCurdy,	Sweat,
Cody,	McGregor,	Turner
Dawson,	McMullin,	W A. Walton,
Eberhart,	McWhorter	J. H. Walton,
Gross,	Mobley	Walker
James Hardin	Moody	Williamson,
Harris,	Phillips,	Wilson
Hatton.	G R Reid	Williford,
Hardison,	Richardson,	Woodward,
Headen,	Riley	
Hood	Rumph,	

Those who voted in the negative are, Messrs.

Adams	Gartrell,	Moughon
Bostwick.	Griffin,	Paris,
Benj. Cleveland.	Haynie	Pickett,
W. C. Cleveland,	Harrison,	Poole,
Crawford	Harrall,	Redding,
Crittenden,	Henderson,	M. Reid,
Fields,	McDougald,	Reynolds,

R A Robinson  
Rowell,

Strickland,  
West,

Yopp.

So the motion was agreed to.

Mr. Rowell moved to strike out all that relates to the line between the counties of Baker and Dougherty; which was agreed to.

The report as amended was agreed to. The bill was read the third time and passed.

On motion of Mr. Gartrell, the following bill of the Senate was taken up, and read the first time, to wit :

A bill to be entitled an act to amend the several acts now in force, regulating and establishing the fees of certain officers so far as relates to the county of Cobb, and certain other counties therein named.

The House took up the report on the bill of the House to be entitled an act to amend an act passed 27th December, 1845, entitled an act to incorporate the Muscogee Railroad company, and to punish persons for violating the provisions of the same, &c.

Mr. McDougald offered the following as a substitute for the foregoing bill.

A bill to be entitled an act to amend the several acts now in force in relation to the Muscogee Railroad Company, so far as to change the time for the election of President and Directors of said Company, and for other purposes therein named

On motion the substitute was adopted. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to revive and amend an act to incorporate the Florence Bridge Company assented to, 29th December, 1838.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to repeal so much of the 1st Section of an act entitled an act to appoint County Treasurers and define their duties, approved 24th December, 1825, as relates to the appointment of said officers by the Justices of the Inferior Courts of the State, and to authorize their election by the people, so far as relates to the counties of Floyd, Madison, and Gwinnett.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to permit George M. Tutt, and George W. Newman, to marry again, and for their relief.

The report was disagreed to, and the bill lost.

On motion, the following bill of the Senate was taken up and read the first time :

A bill to be entitled an act to authorize a majority of the Justices of the Inferior Courts of the respective counties of Telfair, Irwin, Montgomery and Pulaski, to grant permission for the laying out upon certain conditions of public roads, leading to the rivers or other large streams of water within or touching said counties, as also, to empower them to ~~remove~~ obstructions in the creeks, suitable for rafting, so as to facilitate and extend the lumber business, and for other purposes.

On motion of Mr. Gartrell, the House adjourned until half-past 9 o'clock, to-morrow morning.

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### FRIDAY, FEBRUARY 10th, 1854.

The House met pursuant to adjournment.

The following message was received from the Senate by Mr. Moore, their Secretary :

*Mr. Speaker*—The Senate has passed the following bills of the House of Representatives—

A bill to make certain persons competent Jurors and witnesses, and declare the law therein. Also,

A bill to authorize the distribution of estates in certain cases. Also,

A bill to incorporate the Macon Manufacturing Company. Also,

A bill to repeal an act of 1852, as to drawing Grand and Petit Jurors of Clarke county. Also,

A bill to incorporate the Christain Church of Augusta.—Also,

A bill to incorporate the Mountain Rangers of the county of Gordon. Also,

A bill to amend an act to alter and change the time of holding the Superior Court of the county of Marion. Also,

A bill to incorporate the Franklin Bridge Company, and for other purposes. Also,

A bill to change the name of Nancy N. Hightower.—Also,

A bill to appropriate money for the purposes therein designated. Also,

A bill to alter and amend the 2d Section of an act to lay out a new county of Talbot, Macon and Marion, and to attach the same to a Senatorial District, approved January 18th, 1852. Also,

A bill to add lots of land Nos. 152 and 122, in the 11th District of originally Muscogee, now Marion county, to the county of Talbot. Also,

A bill to allow Jurors serving in Justices Courts, additional compensation for verdicts rendered in said Courts so far as relates to Decatur county. Also,

A bill to reduce the Sheriff's Bond in the counties of Butts and Emanuel. Also,

A bill to authorize the Inferior Court of Gilmer county to lay off said county into School Districts. Also,

A bill to authorize the Inferior Court of Bryan county to lay out and dispose of the lots belonging to the county site, and for other purposes. Also,

A bill to amend an act to incorporate Washington, in the county of Wilkes, approved December 7th, 1821, and to vest the Inferior Court of said county, with discretionary powers in certain cases. Also,

A bill to authorize all Physicians in this State, having received a Diploma from any Medical College within the United States, to practice physic and charge for the same. Also,

A bill to change the name of Amanda Ransom to that of Amanda Robinson, and to make her the legal heir of Fulton Robinson, and for other purposes.

The Senate has also passed the following bills of the House of Representatives with amendments, in which they ask the concurrence of the House, to wit :

A bill to incorporate a Bank in the city of Dalton, to be called the Planters and Mechanics Bank of Dalton.— Also,

A bill to appoint Commissioners to settle the claims of Creditors of the Bank of Darien, upon the State of Georgia, and to provide money which may be required to pay such claims, by sale of State Bonds. Also,

A bill to prevent the firing of lands, wood and marshes in the counties of Decatur and Appling during a certain portion of the year. Also,

A bill to lay out and organize a new county from the counties of Baker and Early. Also,

A bill to amend the several acts of the General Assembly, of Georgia, in regard to the election of State Printer, and to prescribe the duties, liabilities and compensation of said officer. Also,

A bill to define the liability of rent to levy and sale and to protect the rights of owners of land in this State. Also,

A bill to amend an act entitled an act to incorporate the Zebulon Branch Rail Road, approved January 12th, 1852, so as to extend said Road through Greenville, Corinth and Franklin, to the most practicable point on the Alabama line, so as to connect with the Oxford Rail Road and for other purposes. Also,

A bill to change the time of holding the Superior Courts of Walker and Dade counties. Also,



A bill to incorporate the Irish Jasper Greens, a volunteer corps of Savannah. Also,

A bill to change and abolish certain election precincts herein mentioned. Also,

A bill to authorize the Interior Court of Laurens county to levy an extra tax, for pauper purposes. Also,

A bill to increase the compensation of the Tax receiver of the county of Chatham. Also,

A bill to define the line between the counties of Wayne and Ware, so far as relates to the South side of the Satilla River.

The Senate has also concurred in the amendment of the House to the amendment of the Senate to the bill of the House of Representatives, to appropriate money to Morgan Kemp, former Sheriff of Marion county, for services rendered in the sale of certain fractional lots of land in said county for the State.

Mr. McCurdy moved to take up the bills of the House which have been amended by the Senate.

The House took up the Senate amendment to the bill to be entitled an act to incorporate the town of Campbellton in the county of Campbell and to appoint Commissioners of the same and to make permanent the public buildings; also to appoint Trustees for Clayton academy, in the county of Rabun, and to appoint Trustees for Villanow Academy, in the county of Walker, and to incorporate the same, and for other purposes therein mentioned, and concurred in the same.

The House took up the amendment of the Senate to the bill to be entitled an act, for the relief of Mary Rogers of the county of Hall, and Emily Goucher of Randolph county, and concurred therein.

The House took up the amendments of the Senate to the bill to be entitled an act to incorporate the Masonic Female College in Lumpkin, Georgia, and to confer certain privileges on the same, and concurred therein.

The House took up the Senate amendment to the bill to be entitled an act to incorporate a Bank in the city of Dalton to be called the Planters and Mechanics Bank of Dalton, and concurred in the same.

The House took up the Senate amendment to the bill to be entitled an act to protect the citizens of Dade county from the injurious consequences of cattle speculators driving stock through said county, and spreading distempers to the destruction of the stock of the people living therein, and concurred in the same.

Mr. Harrison from the committee on Military Affairs made the following report, which was read; also the accompanying resolution, to wit:

The Military Committee have, through an efficient sub-

committee, carefully examined the Arsenal and contents at this place, and find the arms, ordnances, accoutrements and munitions of war, deposited in the Arsenal, to be as follows, viz:

1835 Muskets and Rifles.

1 Brass Field Piece.

1300 Cartridge Boxes.

1 Lot of Belts and Straps without buckles.

1 Lot of Bayonets and Scabbards unfit for use.

6 Powder Kegs belonging to Cannon.

300 Kuapsacks in good order.

25 Swords.

63 Kegs condemned Powder.

3 Amunition Wagons.

2 Mortars.

Of the Muskets not more than two-thirds are fit for service ; Pistols and Holsters that have been returned by Volunteer Companies are in bad order ; the Ball Cartridges are in a condition which renders them unfit for use ; the Swords are generrally in good order.

The committee are unable to make any report upon the contents of the Arsenal at Savannah, as the late keeper failed to make his annual report to his Excellency, the Governor, but learn from the present keeper that the Arsenal requires repairs, and that there is a sum of money necessary for the erection of a shed to protect the cannon of the State from the weather.

Your committee have not been unmindful of the entire inexpediency of the present Militia System of Georgia, and have been prevented from reporting a bill for its entire reorganization from the belief that the present Legislature was not prepared to pass such a bill.

I am further directed to report the following resolution.

*Resolved*, By the Senate and House of Representatives, that the keeper of the Arsenal at Milledgeville be, and he is hereby, required to take from the Cartridges, when the powder is damaged, all the balls, and have said balls deposited in the kegs or boxes, in the Arsenal, and that he also proceed forthwith to clean and repair all such arms as are unfit for service, and that his Excellency, the Governor, be, and he is hereby authorized, to pay for the same from the Militia fund of the State.

GEO. P. HARRISON, .  
Chairman Military Committee.

Mr. Thornton from the Special Committee, to whom was referred the bill for the relief of William T. Williamson, of the county of Baldwin, reported the following bill as a substitute, to wit:

A bill to be entitled an act to define the mode and man-

ner of taking out grants to reverted fraudulently drawn lots in any of the Land and Gold Lotteries of this State.

Mr. Thornton moved to take up the substitute and adopt the same; which motion was lost.

The report on the original bill was agreed to. The bill was read the third time and passed.

The House took up the Senate amendment to the bill to be entitled an act to appoint Commissioners to settle the claims, of the creditors of the Bank of Darien, upon the State of Georgia, and to provide for raising the money which may be required to pay such claims by a sale of State Bonds, and the same was concurred in.

Mr. Harrison moved to take up the resolution of the Senate in relation to the final adjournment of the General Assembly; which was agreed to.

Mr. Thornton moved to lay the resolution on the table for the present.

On which motion the yeas and nays were required to be recorded, at the call of Mr. Alread, and are: yeas 48, nays 39.

Those who voted in the affirmative are Messrs.

Adams,	Hays	Riley
Arnold	Hardison,	R A Robinson
Armstrong,	Hamilton,	Stapleton
Cameron	Headen,	L S Stewart
Benj. Cleveland,	Henderson,	J. Stewart,
W. C. Cleveland,	Keith,	Stokes,
Clements,	Linn	Strickland,
Crawford,	McCurdy,	Thornton,
Crittenden,	McDonald,	Trice,
Dawson,	McDougald,	Turner,
Gartrell,	McMullin,	J. H. Walton,
Gross,	Paris	W. A. Walton,
J. Harden,	Pickett.	West,
Harris,	Poole,	Whitworth,
Harrall	G R Reid	A J Williams
Hardeman	Richardson,	H L Williams

Those who voted in the negative are, Messrs.

Alread,	Green	Manor,
Anderson,	Griffin,	McGregor,
Clark,	Harrison,	McLean,
Eberhart,	Hood	McMillan
Fields,	Irwin,	McWhorter.
Fish,	Martin	Mobley
Grant,	Masters	Moody,

Moughon,	M. Reid,	Stephens,
Nichols	Reynolds,	Strother,
Phillips,	Rucker	Sweat.
Powell	Shewmake,	J. Taylor,
Pottle,	W. R. Smith,	Young,
Redding,	W. Smith,	Yopp,

So the motion was agreed to.

The House took up the Senate's amendment to the bill to be entitled an act to increase the compensation of the Tax receiver of the county of Chatham.

The amendment was concurred in.

The House took up the Senate's amendment to the bill to be entitled an act to incorporate the Irish Jasper Greens, a volunteer corps of the city of Savannah.

The amendment was concurred in.

The House took up the Senate amendment to the bill to be entitled an act to prevent the firing of any land, woods, or Marshes, any where in the counties of Decatur and Appling, during a certain portion of the year therein named, and concurred therein.

The House took up the Senate amendment to a bill to be entitled an act to alter, change and abolish certain election precincts herein mentioned, and concurred in the same.

The House took up the Senate amendment to the bill to be entitled an act to authorize the Inferior Court of Laurens county to levy an extra tax for for pauper purposes, and concurred in the same.

The House took up the amendments of the Senate to the bill to be entitled an act, to define the line between the counties of Wayne and Ware so far as relates to the South side of Satilla River, and concurred therein.

The House took up the Senate amendments to the bill to be entitled an act to define the liability of rent to levy and sale and to protect the rights of owners of land in this State, and concurred therein.

The House took up the Senate amendments to the bill to be entitled an act, to amend the several acts of the General Assembly of the State of Georgia in regard to the election of Public Printer and more particularly to prescribe the duties, liabilities and compensation of said officer, and for other purposes.

Mr. Reynolds moved to disagree to the amendments thereto; which motion prevailed.

The House took up the Senate amendment to the bill to be entitled an act to change the time of holding the Superior Courts in the counties of Walker and Dade, and changing the time of holding the Superior Courts of Chattooga, and concurred in the same.

The House took up the Senate amendment to the bill to be entitled an act to amend an act entitled an act to incorporate the Zebulon Branch Rail Road, approved January 12th, 1852, so as to extend said Rail Road from Zebulon, through Greenville, Corinth and Franklin, to the most practicable point on the Alabama line, so as to connect with the Oxford Rail Road, to appoint additional corporators, increase the Capital Stock, to change the name of said Company, and for other purposes therein mentioned.

Mr. Phillips moved to amend the Senate amendment, by inserting the words, "through the Hightower Gap;" which was agreed to, and the Senate amendment as amended, was concurred in.

The House proceeded with the special order of the day which was the bill to be entitled an act to authorize the consolidation of the two incorporated Companies, known as the Central Rail Road and Banking Company, of Georgia, and the Macon & Western Rail Road Company, so as to make one Company, and one Rail Road from Savannah to Atlanta, under the charter of the Central Rail Road and Banking Company, of Georgia.

Mr. Phillips offered the following amendment, which was accepted, to wit :

*"Provided,* Nevertheless that the consolidation of the Stock of said Rail Roads shall not exempt the Stock of the Macon & Western Rail Road, from the rate of taxation now imposed by law.

Pending which, the following message was received from the Senate by Mr. Moore, their Secretary :

*Mr. Speaker*—The Senate has passed the bill of the House of Representatives to lay out and organize a new county from the counties of Early and Randolph ; to organize the same, and to attach it to the 2d Congressional District, and the South Western Judicial Circuit, with amendments in which they ask the concurrence of the House of Representatives.

The Senate has also concurred in the amendment of the House of Representatives, to the bill of the Senate to submit the question of the removal of the Court House of Macon county to the people thereof, and for other purposes.

Mr. Hardeman offered the following amendment :

*"Provided,* That said Central Rail Road shall not charge higher for freight or travel than is now charged, and shall establish a system of charges for freights for every fifty miles, and shall in no case be allowed the privileges of discriminating against those places that lie on the line of said Rail Road, but shall charge so much for every fifty miles along the line of said road, and in the event of a refusal to make such a system of charges, or when made, in the event of violation of the privileges of this section, all demands for freight

against shippers of produce thus discriminated against, shall be utterly null and void."

Upon the question of adopting Mr. Hardeman's amendment, the yeas and nays were required to be recorded, at the call of Mr. Ward, and are : yeas 40, nays 52.

Those who voted in the affirmative are, Messrs.

Adams,	James Hardin,	Redding,
Alread,	Harrall,	Richardson,
Armstrong,	Hardeman,	Rowell
Brown,	Headen,	Rumph
Calloway.	Maxwell,	L S Stewart
Cameron	McComb	Strickland,
Benj. Cleveland,	McGregor,	J. Taylor,
Cody,	McMullin,	W.A. Walton,
Crawford,	Moody,	Williamson,
Crittenden	Moughon	Woodward
Dawson	Phillips.	Young,
Dubignon,	Pottle	Yopp.
Green	Powell	
Gross,	Powers	

Those who voted in the negative are, Messrs.

Anderson,	Hendrick,	Reynolds
Andrews,	Hood	Rucker
Arnold	Irwin,	Shewmake,
Clark	Jones,	W R. Smith,
W. C. Cleveland,	Keith	Wm. Smith,
Eberhart	Leverett,	Stapleton,
Fields,	Linn,	Stephens
Fish,	Mangham,	Sweat
Grant,	Martin	Thornton,
W. P. Harden,	Masters,	Trice,
Haynie	McCurdy,	Turner,
Harris	McLean,	J. H. Walton
Harrison,	Nichols	Whitworth,
Hays,	Paris	A J Williams
Hawkins,	Pickett,	Wilson,
Hardison	Poole	Williford,
Hamilton	G. R. Reid,	
Henderson	M. Reid,	

So the amendment was lost.

Pending further discussion, on motion of Mr. Cleveland of Crawford, the House adjourned to half-past two o'clock P. M.

## HALF-PAST TWO O'CLOCK, P. M.

The House met pursuant to adjournment.

The House resumed the unfinished business of the morning session, which was the consideration of the bill to consolidate the Central and Macon and Western Rail Roads.

Mr. Ward offered the following amendment to Mr. Phillips' amendment, to wit :

"Or which may hereafter be imposed on other rail roads ;" which was received.

Mr. Pottle offered the following amendment, which was agreed to, to wit :

*"And be it further enacted,* That the Directors of the Macon and Warrenton Rail Road Companies shall have the privilege of connecting their Road at any point on said Roads, when so consolidated in the city of Macon, the connection to be made at some point in the city of Macon."

The report, as amended, was agreed to ; the bill was read the third time, and upon the question, "Shall this bill now pass ?" the yeas and nays were required to be recorded. at the call of Mr. Pottle, and are . yeas 52, nays 33.

Those who voted in the affirmative are, Messrs.

Andrews	Hood	Poole,
Arnold	Irwin,	G. R. Reid
Armstrong,	Jones,	M. Reid,
Calloway.	Keith,	R. A. Robinson,
Clark,	Leverett,	Rucker
Benj. Cleveland,	Linn	Rumph,
Clements,	Mangham,	Shewmake,
Fields.	Martin	W R Smith.
Fish	Masters	W Smith
Grant	Manor,	Strickland,
W. P. Harden	McCurdy,	Strother
Haynie	McLean,	Sweat,
Harrison,	McWhorter	Trice,
Hatton,	Mobley	Turner
Hays,	Nichols	Whitworth.
Hamilton,	Paris,	A J Williams
Henderson,	Phillips	
Hendrick	Pickett,	

Those who voted in the negative are Messrs.

Adams,	Brown,	Green
Alread,	Cameron	J. Hardin,
Bostwick,	Dawson	Harris,

Harrail,	Pottle,	Thornton,
Hardeman	Redding,	J. H. Walton,
Hardison,	Reynolds	W A Walton
Maxwell,	Richardson,	West.
McGregor,	Rowell	H. L. Williams,
McMullin,	Stephens,	Williamson,
Moody,	L S Stewart,	Woodward,
Moughon	J. Taylor	Young.

So the bill passed.

Mr. Pottle moved to take up the special order of the day, which was the bill to be entitled an act for the pardon of **Newton J. Carr.**

The report was agreed to ; the bill was read the third time and upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded, at the call of Mr. Alread, and are : yeas 48, nays 42.

Those who voted in the affirmative are, Messrs

Armstrong,	Latham,	Stapleton,
Brown,	Martin,	Stephens,
Calloway	Masters,	L S Stewart
Clark	McComb	Strickland,
Benj. Cleveland,	McCurdy,	Sweat
Clements,	McDougald,	J. Taylor,
Crawford,	McMillan	Thornton
Dawson,	McMullin	Turner,
Dubignon,	Paris,	W. A. Walton.
Eberhart,	Phillips,	West
W. P. Harden,	Pottle	A. J. Williams,
Harris,	Powers,	H L Williams
Harrall,	Redding,	Williamson,
Hardeman,	G. R. Reid	Woodward.
Hardison,	M. Reid,	Young,
Hendrick	Richardson	Yopp.

Those who voted in the negative are Messrs.

Adams,	Haynie,	Keith,
Alread,	Harrison	Linn
Anderson,	Hatton,	Mangham,
Andrews	Hays	Manor
Arnold	Headen	McGregor,
Cameron	- Henderson,	McLean
W. C. Cleveland,	Hood	McWhorter,
Gartrell,	Irwin,	Mobley,
J. Hardin,	Jones	Moody.



Nichols	Rucker	Strother,
Pickett,	Rumph,	Trice
Reynolds,	Shewmake,	J. H. Walton
Riley,	W R. Smith,	Whitworth
R A Robinson	W Smith,	Williford,

So the bill was passed.

On motion of Mr. Stewart, the Clerk was required to transmit the bill to the Senate forthwith.

On motion of Mr. Haynie the House took up, and went into Committee of the Whole, Mr. Redding in the Chair, on the bill to be entitled an act to provide for the indigent deaf and dumb citizens of this State, and for other purposes herein named.

After some time spent therein the committee rose and reported the bill back to the House without amendment.

The report was agreed to; the bill was read the third time and passed.

On motion of Mr. Haynie the Clerk was directed to transmit the bill to the Senate forthwith.

The House took up the report of the Judiciary Committee on the Senate bill to be entitled an act to amend the First Section of the Third Article of the Constitution of the State of Georgia.

The report was agreed to; the bill was read the third time and passed.

The following message was received from his Excellency, the Governor, through Mr. DeGraffenreid, his Secretary :

*Mr. Speaker*—The Governor has approved and signed the following acts, which have been deposited in the office of the Secretary of State :

An act for the relief of Levy Barty, an infirm and indigent person.

An act to amend an act to incorporate the Habersham and Union Turnpike Company, and to grant certain privileges to the same, and for other purposes therein mentioned,

An act to amend an act to make uniform a standard of weights and measures in this State, assented to 23d December, 1839.

An act to lay out and form a new county out of the counties of Clinch, Ware, Telfair and Irwin, and to organize the same.

An act to compel all persons who own or who may hereafter own any land over one thousand acres, improved or unimproved, to give in and paytaxes on the same in the county in which said land lies, so far as relates to the county of Wayne.

An act to amend an act to prevent controversies concerning the boundaries of land in this State.

An act to incorporate the Brunswick Improvement Company.

An act to appropriate a sum of Money to John R. Jenkins of Pike county, for expenses and services therein mentioned.

An act to amend an act entitled an act to prescribe and point out the mode of collecting coroner's fees in the several counties in this State, passed December 22d, 1835.

An act to incorporate the City Bank in the city of Augusta.

An act relative to continuances in certain cases therein named, and for other purposes.

An act to open and construct a rail road, commencing at some point between Marietta and Calhoun, to be determined by a majority of the stockholders herein incorporated, and thence the most practicable route by Eljay in Gilmer county, to the, or near the mouth, of Fighting Town creek, at the Copper Mines in the county of Gilmer. Also to incorporate the Thomaston and West Point and Thomaston and Milledgeville Railroad companies.

I am also instructed to transmit to this branch of the General Assembly a communication in writing.

The House took up the report of the committee on the bill to be entitled an act to refund the taxes collected from the Rome Rail Road Company.

On motion of Mr. Haynie, the bill was laid on the table for the present.

The House took up the report of the Judiciary Committee on the bill to be entitled an act to allow parties in all suits at law or in equity to use their adversaries and co-parties as witnesses, and for other purposes therein named.

The report was agreed to; the bill was read the third time.

There being no quorum upon a division, the Speaker directed a call of the yeas and nays to be recorded on the passage of the bill, which are : yeas 32, nays 42.

Those who voted in the affirmative are, Messrs.

Alread	Harrison,	Paris,
Calloway.	Hardeman	Phillips
Clements,	Headen	Poole,
Crawford,	Hendrick	Pottle
Dawson,	Hood,	G. R. Reid,
Eberhart,	Irwin,	Richardson
Fields,	Jones,	J. Taylor,
Grant,	McDougald,	Turner,
Harris	Mobley.	J H Walton,

W A Walton  
West

Whitworth,  
A. J. Williams,

H L Williams

Those who voted in the negative are, Messrs.

Adams	Hardison,	Moody,
Anderson,	Hamilton	Nichols,
Andrews,	Henderson	Pickett
Armstrong,	Keith,	Redding,
Bostwick,	Latham	M. Reid
Cameron	Leverett,	Riley,
Clark.	Mangham	Rowell
Benj. Cleveland	Maxwell,	Rumph,
Cody,	Manor	Shewmake
Fish,	McCurdy	Stephens,
Gross	McGregor,	L S Stewart
J. Hardin,	McLean	Sweat,
Harrall,	McMullin,	Williamson,
Hays	Mc Whorter	Williford

So the bill was lost.

On motion of Mr. Thornton, the following communication from his Excellency the Governor, was taken up and read, to wit :

EXECUTIVE DEPARTMENT }  
MILLEDGEVILLE, February 10th, 1854. }

To the House of Representatives :

A bill originating in the House of Representatives entitled an act to alter and amend the several acts of this State, providing for the organizing of the Land Courts, so far as relates to the county of Montgomery, has been presented for my signature and assent. By the provisions of the laws now of force, any three of the Justices of the several counties in this State are empowered to hold the Land Courts of their respective counties, and upon proper application for a change it is better to allow them to remain. The office of Clerk of the Land Courts is held *ex-officio* by the Clerk of the several Superior Courts of the counties, with the exception of Bryan and Bulloch, and this officer is entitled by law to receive certain fees as compensation for the discharge of the duties of the office. By the 4th section of the bill under consideration, the compensation hitherto allowed to the Clerk of the Land Court for each head right, to grant warrants to survey the unlocated lands therein on head rights; which warrant must be signed by all the Justices presiding in said court and be attested by the Clerk of the Land Court.—These provisions of law are of long standing and uniform throughout the State. The experience of many years has

tested their soundness, nor has it suggested heretofore the necessity of amendments which destroyed their uniformity and general operation over the whole State, without good reasons is taken away and directed to be allowed to the Justices of the Peace in each district of the county of Montgomery, who are authorized by the first section to hold said court.

It is a grave question even if the Legislature have the power to deprive an officer, over whose appointment they have no control, of the fees of this office, whether justice and good faith would warrant such action, without entering into any minute discussion of the power of the General Assembly in the premises and waiving a decision thereon. I am constrained by the consideration first presented to withhold my assent to said bill and respectfully return the same to that branch of the Legislature in which it originated.

HERSCHEL V. JOHNSON.

The House took up the report of the Judiciary Committee on the bill to be entitled an act to alter and amend the consent rule in actions of ejectment, as now used in this State.

Mr. Alread called for the previous question, which call was sustained, and the main question ordered to be put.

Upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded, at the call of Mr. Thornton, and are : yeas 18, nays 53.

Those who voted in the affirmative are, Messrs.

Benj. Cleveland	Hood	Shewmake
Grant	Irwin,	Strother
J Hardin,	Jones,	Thornton,
Harrall	Paris	A J Williams
Henderson,	Reynolds,	Williford,
Hendrick	Rucker	Young

Those who voted in the negative are, Messrs.

Adams	Haynie,	Manor,
Alread,	Harris,	McCurdy,
Armstrong,	Harrison	McDougald,
Bostwick,	Hardeman	McGregor
Clark	Hays	McLean
Cody	Hardison,	McMillan
Crawford,	Headen	McMullin
Eberhart	Latham,	McWhorter
Fields	Linn	Mobley,
Fish,	Maxwell,	Moody,

Nichols	Richardson,	Sweat,
Pickett,	Riley,	Trice,
Poole,	Rowell,	J. H. Walton,
Pottle	Rumph	W. A. Walton,
Powers,	W. R. Smith,	West,
Redding	Stephens,	Whitworth,
G. R. Reid,	L. S. Stewart,	Williamson.
M. Reid,	Strickland,	

So the bill was lost.

The House took up the report of the Judiciary Committee on the bill to be entitled an act to prohibit the introduction of negro testimony, the sayings and suppositions of any negro, bond or free, on the trial of any indictment against any free white citizen of this State, or on the trial of any case at law or in equity, before any court or tribunal in this State, for or against any free white citizen, in any case or under any pretense whatever, and for other purposes therein named.

Mr. Mobley moved to lay the bill upon the table for the balance of the session.

Upon which motion Mr. McDougald required the yeas and nays to be recorded, which are : yeas 60, nays 14.

Those who voted in the affirmative are, Messrs.

Alread,	Headen,	Paris,
Anderson,	Henderson	Pickett
Arnold,	Hood	Poole
Armstrong,	Irwin	Pottle,
Bostwick	Keith,	M. Reid,
Calloway,	Latham.	Reynolds
Champion,	Linn,	Shewmake
Clark,	Mangham	W Smith
W. C. Cleveland,	Martin	Stephens
Dawson	Maxwell,	L. S. Stewart,
Eberhart,	Manor	Strickland,
Fields,	McCurdy,	Strother
Fish,	McGregor,	Sweat,
Grant	McLean	Thornton
Gross,	McMullin,	Trice,
W. P. Harden,	McWhorter,	J H Walton
James Hardin,	Mobley,	W. A. Walton,
Harris,	Moody,	Whitworth,
Hardeman,	Moughon	A. J Williams
Hardison	Nichols,	Williamson,

Those who voted in the negative are, Messrs.

Benj. Cleveland,	Hays	McDougald
Griffin,	Hendrick,	Phillips,

G. R. Reid,  
Richardson,  
Riley,

Rumph  
Turner,  
West.

H. L. Williams,  
Young.

So the motion to lay on the table prevailed.

Leave of absence was granted to Mr. Cleveland, of Crawford, on account of the sickness of his family.

On motion, of Mr. Riley the House adjourned until half past seven o'clock, P. M.

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### HALF-PAST SEVEN O'CLOCK. P. M.

The House met pursuant to adjournment.

The House proceeded to the reading of bills the third time.

The House took up the report of the committee on the bill to be entitled an act to appoint an agricultural chemist for the State of Georgia.

Mr. Turner offered a substitute for said bill.

Mr. Nichols moved to lay the bill and substitute on the table for the balance of the session.

Upon which motion the yeas and nays were required to be recorded, at the call of Mr. Phillips, and are : yeas 50, nays 30.

Those who voted in the affirmative are, Messrs.

Alread,	Hatton,	Riley,
Andrews.	Hardison,	Simmons,
Armstrong,	Hamilton,	W. R. Smith,
Bostwick,	Headen,	Wm. Smith,
Brown	Hardeman	Stephens,
Calloway	Hendrick	Strickland,
Cameron	Hood,	Sweet,
W. C. Cleveland,	Mangham,	J Taylor
Cody,	Maxwell,	Trice,
Dubignon	McGregor,	J H Walton,
Fields,	McLean	Whitworth.
Fish,	McMullin	H L. Williams
Green	Nichols,	A. J. Williams.
Griffin,	Redding,	Williamson,
Gross	G. R. Reid,	Williford,
Harris	M. Reid,	Woodward,
Harrall,	Reynolds	

Those who voted in the negative are Messrs.

Adams,	Crawford,	W. P. Harden,
Benj. Cleveland,	Grant	J. Hardin,

Hardeman,	Mobley,	L S Stewart
Irwin,	Paris,	Strother,
Keith,	Phillips	Thornton,
Latham	Pickett,	Turner,
Linn,	Poole,	W A. Walton
McComb	Pottle	West,
McCurdy,	R. A. Robinson,	Wilson,
McDougald,	Rowell,	Young,

So the motion was agreed to.

The House went into Committee of the Whole—Mr. Irwin in the Chair—on the bill to be entitled an act to refund to W W. and F Ross, a certain amount of money, and after some time spent therein, the committee rose and reported the bill back to the House, without amendment.

Mr. McDougald moved to postpone the bill for the present—which motion was agreed to.

The House took up the report on the bill to be entitled an act to repeal an act to extend the jurisdiction of the Justices of the Peace for the city of Savannah, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the bill to be entitled an act to incorporate a Bank in the city of Savannah, to be called the People's Bank.

Mr. Redding moved to lay the bill on the table for the balance of the session; which was agreed to.

The House went into Committee of the Whole—Mr. Garrett in the Chair—upon the bill to be entitled an act for the relief of William Eddius, William H. Stiles, Joel T Rowland, and Simpson Fouche, and after sometime spent therein, the committee rose and reported the bill back to the House, without amendment.

On motion of Mr. Nichols, the bill was laid on the table for the balance of the session.

The House took up the report on the bill to be entitled an act to incorporate a Fire Company in the city of Savannah, to be known by the name and style of Young America.

The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report on the bill to be entitled an act to alter and amend an act entitled an act to incorporate the Cassville Female College, located in the town of Cassville, Georgia, and to incorporate the Cherokee Baptist College, located at the same place, and to confer on the Commissioners of Cassville, the power to grant license to retail ardent spirits, and for other purposes therein named.

On motion of Mr. Crawford, the bill was laid on the table for the balance of the session.

The House took up the report on the bill to be entitled

an act to lay out a new county, from the counties of Monroe, Upson and Crawford, to be called King county, and for other purposes therein specified.

On motion of Mr. Mangham, the bill was laid on the table for the balance of the session.

The House took up the report on the bill to be entitled an act to incorporate the town of Magnolia, in Clinch county.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the bill to be entitled an act to limit the jurisdiction of the city of Savannah, so far as relates to the regulation of the Market, assented to December 13th, 1809.

On motion of Mr. Crawford, the bill was laid upon the table for the balance of the session.

The House took up the report on the bill to be entitled an act to authorize and require Sheriffs, Coroners, Clerks of the Superior and Inferior Courts and Ordinaries, to advertise in certain newspapers.

On motion of Mr. Trice, the bill was laid on the table for the balance of the session.

The House took up the report of the committee on a bill to be entitled an act to prevent the poisoning and destruction of fish in the county of Dooly.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to give the election of the County Treasurer, of the county of Gwinnett, to the people.

On motion of Mr. Hardeman, the bill was laid on the table for the balance of the session.

The House took up the report on the bill to be entitled an act to repeal a part of the 3d Section of an act entitled an act for the government and management of the Western & Atlantic Rail Road.

On motion of Mr. McCurdy, the bill was laid on the table for the balance of the session.

The House took up the report on the bill to be entitled an act to alter and change the line between the counties of Harris and Troup.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to amend an act to incorporate a bank in the town of LaGrange, to be called the LaGrange Bank.

The report was disagreed to, and the bill lost.

The House took up the report of the committee on the bill to be entitled an act to divorce Eugene B. Foote, of the county of Cobb, and his wife, Sarah J. Foote, and to invest



him with all the rights and immunities he would have been entitled to, if he had never been married.

On motion of Mr. Martin, the bill was laid upon the table for the balance of the session.

The House took up the report on the bill to be entitled an act to compel persons living in the county of Wayne, to give in and pay the taxes in said county, for all the property they may own in the State.

The report of the committee was agreed to. The bill was read the third time and passed.

The House took up the report on the bill to be entitled an act to authorize John W. Pate, a crippled man of the county of Washington, to peddle goods, wares, and merchandize, within the said county of Washington, without a license, and without being subject to pay any tax therefor.

On motion of Mr. Whitworth, the bill was laid on the table for the balance of the session.

Mr. Gartrell, from the Committee on Enrolment, reported the following bills, as duly enrolled, to wit:

A bill to be entitled an act to incorporate the Cherokee Wesleyan Institute, located at Cave Spring, and for other purposes herein named.

A bill to be entitled on act to make John P. Cain, heir at law of John Cain.

A bill to be entitled an act for the relief of Needham Smith of Houston county.

A bill to be entitled an act to attach a portion of Crawford county, to the county of Taylor, and to change the line between Polk and Paulding.

A bill to be entitled an act compensate the Grand and Petit Jurors of the counties of Washington, Lincoln, Scriven Gordon and Hall,

A bill to be entitled an act incorporate the Dalton and Copper Mine Turnpike, Plank & Rail Road Company, and to allow the Company to build a Turnpike, Plank or Rail Road.

A bill to be entitled an act to incorporate a company, to be called the Savannah, Griffin and North Alabama Rail Road Company, with power to build a Rail Road from the city of Griffin, by Newnan in Coweta county, and Carrollton, in Carroll county, to the Alabama State line, at any point in Carroll county.

A bill to be entitled an act to authorize his Excellency, the Governor, to draw his warrant upon the Treasury, in favor of Drewry W. Taylor of the county of Houston, for twenty-two dollars and ninety-six cents, for monies advanced by him to pay for advertising lands, and for commissions for selling the same, under the provisions of an act approved December the 30th, 1847; also, to authorize his Excellency the Governor, to draw his warrant on the Treasurer, in favor of

James P. Ellis, Tax Collector of the county of Stewart, for the year 1851, for forty-seven dollars and twenty-six cen's.

A bill to be entitled an act to alter and amend an act to incorporate the Coosa and Chattooga River Rail Road Company, and also, to provide for the settling of controversies as to the right of way, when there are estates in remainder as to said Company, and all other Rail Road Companies of this State.

A bill to be entitled an act to change the line between the counties of Cass and Gordon, so as to include the residences of Jesse Waddle, John Freeman, J. D. Lewis and H. D. Freeman, within the boundary of the County of Gordon, and to add lot of land, number twenty-one, in the 15th District and 3d Section to the county of Gordon, and for other purposes therein mentioned ; also, to change the residences of certain persons to certain other counties therein mentioned.

A bill to be entitled an act change the name of Roscoe Tallulah Clay Niles. to that of Roscoe Clay Wallace ; also, to alter and change the name of Jennette Millar Barrow Niles, to that of Jennette Barrow Wallace ; also, to alter and change the name of Ophelia Celestia Wood, to that of Ophelia Celestia Bilbro. and to legitimize said Ophelia Celestia Bilbro, and for other purposes therein mentioned.

A bill to be entitled an act to appropriate money to pay Francis Rivier and others, for expenses incurred by them in pursuing and apprehending certain robbers, therein mentioned.

A bill to be entitled an act to authorize Jacob A. H. Reviere, Receiver of Tax Returns of Warren county, to appoint an assistant receiver.

A bill to be entitled an act to legitimize Matilda Officer, the wife of Thomas M. Officer, and for other purposes therein mentioned.

A bill to be entitled an act to change the names of Rebecca Gertrude Garland, John Darius Garland, and James William Garland, to the names of Rebecca Gertrude Herringdine, John Darius Herringdine, and James William Herringdine, and legitimize the same. Also.

A bill to be entitled an act to repeal an act to alter and amend an act relating to the Court of Common Pleas and of Oyer and Terminer of the city of Savannah, so far as relates to the fees of the Clerk of said Court.

The House took up the report on the bill to be entitled an act to authorize Bowen & Brother, a manufacturing company in the county of Carroll, to raise by lottery, a certain sum of money therein named, and to incorporate said company.

Mr. Alread moved to lay the bill on the table for the balance of the session.

Upon which motion, Mr. Martin required the yeas and nays to be recorded, which are : yeas 54, nays 28.

Those who voted in the affirmative are Messrs.

Alread	Hardeman,	Redding,
Arnold	Hays.	G. R. Reid,
Armstrong	Hardison,	Reynolds,
Bostwick	Headen,	Riley
Brown,	Henderson,	Shewmake
Balloway,	Hood,	W. R. Smith.
Bameron,	Irwin,	Stephens,
Clark,	Mangham,	L S Stewart
W C Cleveland	Martin,	Strickland.
Elements	Maxwell.	Strother.
Jawson	McCurdy,	Sweat,
Fields,	McGregor,	J. Taylor.
Fish,	McLean	Trice,
Gross,	McMullin,	Turner
W P. Harden,	McWhorter.	J. H. Walton,
Garris,	Moughon	W. A. Walton,
Garrall,	Nichols	A J Williams,
Gatton,	Pottle,	Woodward,

Those who voted in the negative are, Messrs.

Adams,	Linn	Rumph,
Benj. Cleveland,	McDougald,	Stokes,
Brawford,	Mobley,	Thornton,
Bubignon,	Paris,	West
Bartrell,	Phillips,	Whitworth,
Griffin,	Pickett,	H. L. Williams,
James Hard in,	Poole,	Williamson,
Haynie,	M. Reid,	Wilson
Hendrick	Richardson,	
Latham	Rowell,	

So the motion to lay on the table prevailed.

The following Senate bills were taken up, and read the third time, to wit :

A bill to be entitled an act to build and construct a Railroad from the city of Dalton, in Whitfield county, to some fit and eligible point on the Alabama line, over the most practicable road from Dalton to Gadsden on the Coosa River.

A bill to be entitled an act to secure a preference to persons in possession, in applications for grants under the laws pertaining to head rights.

A bill to be entitled an act to define an act relating to Commissioners of Pilotage for Savannah River, passed in 1847.

The House took up the following Senate bills, and read the same the second time, to wit :

A bill to be entitled an act to authorize a majority of the

Justices of the Inferior Courts, of the respective counties of Telfair, Irwin, Montgomery and Pulaski, to grant permission for the laying out upon certain conditions, of public roads leading to the rivers or other large streams of water within or touching said counties, as also, to improve them, to remove obstructions in creeks suitable for rafting, &c. &c.

A bill to be entitled an act to amend the several acts now in force, regulating and establishing the fees of certain officers, so far as relates to the county of Cobb, and certain other counties therein named.

On motion the House then adjourned until half-past 9 o'clock to-morrow morning.

### SATURDAY, FEBRUARY 11th, 1854.

The House met pursuant to adjournment.

Mr. McDougald moved to reconsider so much of the Journals of yesterday, as relates to the rejection of the substitute of the Senate to the bill to be entitled an act to amend the several acts of the General Assembly of the State of Georgia, in regard to the election of Public Printer, and more particularly to prescribe the duties, liabilities and compensation of said officer, and for other purposes.

Upon which motion, the yeas and nays were required to be recorded, at the call of Mr. Reynolds, and are: yeas 45, nays 39.

Those who voted in the affirmative are Messrs.

Adams,	Irwin,	Richardson,
Clark,	Keith	Riley,
W. C. Cleveland,	Latham,	R A Robinson,
Cody,	Leverett.	Rowell
Crawford,	Mangham,	Rucker
Eberhart	Martin,	Wm. Smith,
Gartrell,	Masters,	Stapleton
Grant,	Manor,	L S Stewart.
Green,	McCurdy,	Thornton,
W P Harden,	McDougald,	Trice,
J Hardin	McGregor,	West,
Headen,	Moughon	A J Williams
Henderson,	Nichols,	H L Williams
Hendrick	Pottle,	Woodward.
Hudson,	M. Reid,	Young.

Those who voted in the negative are Messrs.

Alread,	Arnold	Bostwick,
Andrews,	Armstrong	Cameron,

Benj. Cleveland,	Hood	Redding,
Clements	Jones,	G R Reid
Dawson	Maxwell,	Reynolds.
Fields,	McLean,	Shewmake,
Griffin	McMullin,	W. R Smith,
Hayne,	McWhorter,	J. Stewart,
Harris,	Mobley,	Sweat,
Harrison.	Paris,	J H Walton
Harrall	Pickett,	Whitworth,
Hays,	Poole,	Williamson,
Hardison	Powers,	Williford

So the motion was agreed to.

The following message was received from the Senate, by Mr. Dixon, their Secretary *pro tempore* :

*Mr. Speaker*—I am directed by the Senate, to inform the House of Representatives, that they have elected Robert E. Dixon, their Secretary *pro tem*.

Mr. Phillips moved to reconsider so much of the Journals of yesterday, as relates to the rejection of the bill to be entitled an act to repeal a part of the 3d Section of an act for the government and management of the Western & Atlantic Rail Road.

Upon which motion, the yeas and nays were required to be recorded, at the call of Mr. Gartrell, and are : yeas 42, nays 45.

Those who voted in the affirmative are Messrs.

Adams,	Harris	Phillips,
Anderson,	Harrison	Pickett
Andrews	Hendrick	Poole,
Armstrong	Hood,	Pottle,
Cameron.	Irwin,	Powell
Clark,	Jones,	Powers,
Benj. Cleveland,	Keith	Reynolds
W C Cleveland	Latham	R A Robinson
Cody,	Linu	Rowell
Dawson,	Mangham	Stapleton
Fields	McLean,	Stephens,
Grant,	McMullin	L. S. Stewart
W. P. Harden,	Nichols,	Strickland
Haynie	Paris,	H. L. Williams,

Those who voted in the negative are Messrs.

Alread,	Bostwick,	Eberhart,
Arnold,	Clements.	Gartrell,

Green	McCurdy,	W Smith,
Griffin,	McGregor,	J Stewart
Gross	McWhorter,	Sweat,
James Hardin,	Mobley,	Trice
Harrall	Moughon	Turner
Hays	Redding	J H Walton,
Hardison,	G R Reid	West
Headen,	M. Reid,	Whitworth,
Hudson,	Richardson.	A J Williams
Martin,	Riley	Williamson,
Masters.	Rucker	Williford
Maxwell,	Rumph.	Woodward,
Manor,	Shewmake,	Yopp.

So the motion was lost.

Mr. Mobley moved to reconsider so much of the Journals yesterday, as relates to the rejection of the bill to be entitled an act to incorporate a bank in the town of LaGrange, to be called the LaGrange Bank ; which was agreed to.

Mr. Harden, of Glark, moved to reconsider so much of the Journals of yesterday, as relates to the rejection of the bill to be entitled an act to appoint an agricultural Chemist for the State of Georgia.

Upon which motion, the yeas and nays were required to be recorded, at the call of Mr. Nichols, and are ; yeas 52, nays 44.

Those who voted in the affirmative are Messrs.

Adams	Lamar,	R A Robinson
Cameron,	Latham,	Rowell,
Clark,	Leverett,	Rucker
Benj. Cleveland,	Linn,	W. Smith,
Clements	Masters	Stapleton,
Crawford	McComb	L. S. Stewart,
Dubignon.	McCurdy,	Stokes,
Eberhart,	McDougald.	Thornton,
Grant,	Mobley	Turner,
Green,	Moughon	Walker,
W. P. Harden,	Paris	West
J Hardin	Phillips.	A J Williams
Harrison,	Pickett,	H. L. Williams,
Hardeman	Poole,	Wilson,
Headen,	Pottle,	Young,
Hood	Powell.	Yopp.
Irwin	Powers,	
Jones,	Riley,	

Those who voted in the negative are Messrs.

Alread	Henderson,	Reynolds
Andrews	Hendrick	Richardson,
Arnold	Hudson	Rumph,
Barnes	Keith,	Shewinake,
Bostwick	Mangham	W. R. Smith
W. C. Cleveland,	Martin,	J. Stewart,
Cody,	Maxwell	Strickland,
Dawson	Manor,	Sweat
Fields,	McGregor	Trice,
Fish	McLean,	J. H. Walton,
Griffin,	McMullin,	Whitworth,
Gross	Nichols.	Williamson.
Haynie	Redding,	Williford,
Harris,	G. R. Reid,	Woodward,
Hardison	M. Reid,	

So the motion was agreed to.

On motion of Mr. Harrison, the bill was taken up and referred to the Committee on Agriculture and Internal Improvements.

The following message was received from the Senate by Mr. Dixon, Secretary pro tem.

*Mr. Speaker*—The Senate has passed the following bill of the House of Representatives, with amendments, in which they ask concurrence, to wit:

A bill for the removal of the Seat of Government to Macon, and for other purposes.

Mr. Young moved to reconsider so much of the Journals of yesterday, as relates to the rejection of the bill to be entitled an act for the relief of William Eddius, William H. Stiles, Joel T. Rowland and Simpson Fouché; which motion was lost.

On motion of Mr. Mobley, the reconsidered bill to charter a bank in LaGrange, to be called the LaGrange Bank, was taken up.

The report was agreed to. The bill was read the third time and passed.

On motion of Mr. Hardeman, the reconsidered bill, to be entitled an act to endow the Southern Botanic College at Macon, was taken up.

The report was agreed to. The bill was read the third time, and upon the question. "Shall this bill now pass?" the yeas and nays were required to be recorded, at the call of Mr. Stapleton, and are, yeas 48, nays 43.

Those who voted in the affirmative are Messrs.

Anderson	Hendrick	Powell,
Arnold	Hood	M. Reid.
Armstrong,	Irwin,	Riley
Brown	Jones,	R A Robinson
Clark	Lamar	Rowell
W C. Cleveland,	Latham,	Rucker
Clements	Leverett,	Stapleton,
Crawford,	Linn.	L. S. Stewart,
Dawson,	Martin	Stokes
Eberhart	Masters.	J. Taylor.
Gartrell,	McComb,	Thornton,
Grant,	McCurdy,	W A. Walton,
Green	McMullin,	West,
Griffin,	Moughon	A J Williams,
Harrison,	Paris,	Williford,
Hardeman,	Pickett,	Woodward,

Those who voted in the negative are Messrs

Andrews,	Keith,	Shewmake,
Cameron,	Maxwell	W. R Smith,
Benj. Cleveland,	Manor,	W Smith,
Cody,	McDougald,	Stephens,
Fields,	McLean,	J. Stewart,
Fish,	McWhorter,	Sweat
Haynie,	Mobley	Turner,
Harris	Nichols,	J. H. Walton,
Harrall,	Phillips	Walker,
Hatton	Poole,	Whitworth,
Hays,	Pottle,	Williamson
Hardison,	Redding,	Young,
Headen	G R Reid	Yopp.
Henderson,	Reynolds	
Hudson,	Richardson	

So the bill was passed.

The House went into Committee of the Whole, Mr. Arnold in the Chair, on the bill to be entitled an act to indemnify and compensate certain persons therein named, for expenses and services rendered it litigation growing out of the disputed boundary question between this and the State of Alabama. After some time spent therein, the committee rose and reported the bill back to the House, with the amendments.

Mr. Alread called for the previous question, which was not sustained.



Pending further discussion, the following message was received from his Excellency, the Governor, through Mr. DeGraffenreid, his Secretary :

*Mr Speaker*—The Governor has approved and signed the following acts, which have been deposited in the office of the Secretary of State :

An act to regulate the collection of Juries' fees of the Superior and Inferior Courts in the county of Cobb.

An act to incorporate the town of Whitesville, in the county of Harris, and to provide for the election of commissioners for the same.

An act supplementary to an act entitled an act to organize a Volunteer Battalion in the city of Savannah, to be called the Independent Volunteer Battalion of Savannah, approved January 20th, 1852.

An act for the relief of Richard Myrick of Pike county.

An act to incorporate the Savannah & Florida Steamboat Company.

An act to incorporate the Clinch Rifles Loan Association.

An act to allow executors, administrators and guardians to resign their trusts on certain conditions.

An act to remove certain election precincts in the counties of Coweta, DeKalb and Appling.

An act to amend an act for the better protection and security of orphans and their estates, approved February 18th, 1799, by extending the provisions of the 5th Section thereof to the trustees of their estates.

An act to authorize the Governor to apply seventy-five thousand dollars to the redemption of any bonded liabilities of this State, &c.

The House resumed the discussion. Pending which,

On motion of Mr. Walker, the House adjourned until half past two o'clock, P. M.

#### HALF-PAST TWO O'CLOCK, P. M.

The House met pursuant to adjournment, and resumed the unfinished business of the morning, which was the consideration of the bill to be entitled an act to indemnify and compensate certain persons therein named, for expenses and services rendered in litigation, growing out of the disputed boundary question, between this State and the State of Alabama.

Mr. Alread called the previous question, which call was sustained, and the main question was then put ; and upon the question, "Shall this bill now pass ?" Mr. Thornton required the yeas and nays to be recorded, which are : yeas 26, nays 52.

Those who voted in the affirmative are, Messrs

Adams	Jones	J. Stewart,
Anderson,	Lamar,	Thornton
Cameron,	Latham	J. H. Walton,
Eberhart,	McDougald,	West,
Gartrell,	Phillips,	H L Williams
James Hardin,	Poole	A J Williams
Haynie,	Pottle	Young,
Harrison	Powers	
Irwin,	W Smith	

Those who voted in the negative are Messrs. .

Alread,	Headen	Reynolds,
Andrews,	Henderson,	Richardson
Arnold	Keith	Riley,
Bostwick,	Linn,	Rumph,
Clark	Mangham,	Shewmake,
Benj. Cleveland,	Martin	W R. Smith,
W. C. Cleveland,	Manor	Stapleton,
Clements	McCurdy	Strickland
Crawford,	McGregor,	Sweat
Fields	McLean	Trice,
Fish	McMullin,	Turner,
Griffin,	McWhorter	W A Walton
Gross,	Mobley,	Whitworth
W P Harden,	Nichols,	Williamson,
Harris,	Paris	Williford
Harrall,	Redding	Yopp
Hatton,	G. R. Reid,	
Hays,	M Reid,	

So the bill was lost.

Mr. Gartrell, from the Committee on Enrolment, reported the following bills, as duly enrolled, to wit :

A bill to be entitled an act to incorporate the town of Graniteville, in the county of Coweta.

A bill to be entitled an act to alter and change the names of certain persons therein mentioned, and for other purposes.

A bill to be entitled an act to reduce the Sheriffs' bond in the counties of Butts and Emanuel.

A bill to be entitled an act to amend the several laws incorporating the city of Milledgeville, and to establish a police court therein.

A bill to be entitled an act to alter, change and amend an act entitled an act to compensate the Grand and Petit Jurors

of the county of Muscogee, and to authorize the Justices of the Inferior Court of said county, to levy and collect a tax for such purposes, and for other purposes therein named, approved December the 21st, 1849, so far as to require the Clerks of the Superior and Inferior Courts, to pay over to said Jurors the full amount of all Jury fees, in addition to the one dollar per day now allowed by the above recited act, and for other purposes therein named.

A bill to be entitled an act to allow persons serving in Justices Courts, additional compensation for verdicts rendered in such courts, so far as relates to the county of De-catur.

A bill to be entitled an act to incorporate a bank to be called the Exchange Bank in the city of Savannah.

A bill to be entitled an act to change the name of Nancy N. Hightower of Marion county, to that of Nancy N. Pitts.

A bill to be entitled an act to add lots of land, numbers one hundred and fifty two (152) and one hundred and twenty-two (122) in the eleventh District of, originally Muscogee, now Marion county, to the county of Talbot.

A bill to be entitled an act to change the name of Joseph D. Bartlett, and to legitimize the said Joseph D. Bartlett; also, to change the names of Nancy Hutts and Elizabeth Jane Hutts, to those of Nancy and Elizabeth Jane Brown, and make them heirs at law of Frederick Brown, of Irwin county, Georgia.

A bill to be entitled an act to authorize all physicians within the State of Georgia, having received a diploma from any Medical College within the United States, to practice physic in this State, and charge for the same, without license.

A bill to be entitled an act to incorporate the Christian Church of Augusta in the county of Richmond.

A bill to be entitled an act to alter and change the corporate name and style of the Marine and Fire Insurance Bank of the State of Georgia, to the corporate name and style of the Marine Bank of Georgia, and to authorize the same to increase the capital thereof, and to establish branches, and to extend the charter of said corporation; and to authorize the change of the name of the Bank of Brunswick, to extend its charter under the new name, to determine certain liabilities of stockholders, and to make valid certain contracts, and to regulate proceedings thereon.

A bill to be entitled an act to alter and amend the 2d section of an act to lay out a new county from the counties of Talbot, Macon and Marion, and attach the same to a Senatorial District, approved January 15th, 1852.

A bill to be entitled an act to authorize Drs Wm D Quinn and James H Lane of the county of Wilkes, and Madison

Greenwood of Rabun county, James Falsam of Lowndes county, and H. W. Wooten of Carroll county, to practice medicine and charge for the same, and for other purposes therein specified.

A bill to be entitled an act to appropriate money for the purpose therein designated.

A bill to be entitled an act to make certain persons therein mentioned, competent jurors and witnesses, and to declare the law therein.

An act to authorize James Lasseter, son of John Lasseter of the county of Decatur, a minor, to transact his own business, in the manner, and subject to the same responsibilities as though he was of full age, and to confer certain powers upon M. C. M. Hammond, guardian of his minor children, and for other purposes therein named.

An act to amend an entitled an act to incorporate the town of Washington in Wilkes county, assented to December 7th, 1821, and to vest the Inferior Court of said county, with discretionary power in certain cases.

An act to authorize the Justices of the Inferior Court of the county of Gilmer, to lay off said county into school districts, and to appoint trustees for the same.

An act to incorporate the Merchants and Planters Bank.

An act to lay out and form a new county out of the counties of Muscogee and Marion, and to organize the same.

An act to incorporate the Georgia Mining Company, and to grant certain powers and privileges to the same.

An act to authorize the Justices of the Inferior Court of Bryan county, to lay out and dispose of, as they may deem necessary, the lots belonging to the county site of said county. Also,

A bill to be entitled an act to alter, change and abolish certain election precincts therein named.

On motion of Mr. Gartrell, leave of absence was granted to Mr. Leverett, on account of sickness.

On motion of Mr. Mobley, leave of absence was granted to Mr. Hood, on account of the sickness of his family.

Mr. Phillips moved to take up the bill relative to the Lunatic Asylum which was agreed to.

The House went into committee of the Whole—Mr Arnold in the chair—on the bill to be entitled an act to appropriate money for effecting important improvements at the State Lunatic Asylum, and for other purposes connected with the interest of the Institution; and after some time spent therein, the committee rose and reported the bill back to the House with the amendments.

Mr. Mobley called for the previous question. The call was sustained, and the main question which was upon agree-

ing to the report, was then ordered to be put, and the report was agreed to.

Mr. McCurdy called for the previous question, in reference to the passage of the bill. The call was sustained; and upon the question, "Shall this bill now pass?" Mr. Phillips required the yeas and nays to be recorded, which are: yeas 49, nays 40.

Those who voted in the affirmative are, Messrs.

Adams,	Hawkins,	Redding,
Andrews	Irwin,	M. Reid,
Arnold,	Jones	R. A Robinson,
Armstrong,	Linn,	Rucker
Cameron,	Mangham,	W Smith
Clark	Mays	Stephens,
Clements	McComb	L. S. Stewart,
Cody,	McCurdy,	Thornton
Crawford,	McGregor	Turner,
Eberhart	McWhorter	W A. Walton,
Grant,	Mobley,	Walker,
Gross,	Paris,	West
W P Harden	Phillips	H L Williams
J Hardin	Poole,	Wilson
Haynie	Pottle,	Young,
Harrison,	Powell	
Harrall,	Powers,	

Those who voted in the negative are Messrs.

Alread,	Manor,	Stephens
Benj. Cleveland,	McDougald,	J Stewart,
W. C. Cleveland,	McLean	Stokes,
Fields,	McMullin,	Strickland,
Fish	Nichols,	Sweat
Griffin,	Pickett	Trice,
Hatton,	M. Reid,	J. H. Walton,
Hays,	Reynolds,	Whitworth,
Hardison	Richardson,	A. J. Williams,
Headen,	Riley	Williamson
Henderson,	Rowell,	Williford,
Keith	Rumph,	Woodward,
Martin	Shewmake,	
Maxwell,	W. R. Smith,	

So the bill was passed.

Mr. Phillips moved to direct the Clerk to transmit the bill to the Senate immediately.

Upon which motion the yeas and nays were required to be recorded—upon the call of Mr. Alread—and are: yeas 45, nays 38.

Those who voted in the affirmative are, Messrs.

Adams	Jones	M. Reid,
Armstrong,	Linn,	R A Robinson
Clark	Mangham	Rucker
Clements,	Mays	Shewmake,
Cody,	McComb	W Smith
Eberhart,	McCurdy,	Stapleton,
Grant,	McGregor,	L. S. Stewart,
Green	McWhorter	Thornton
Gross,	Mobley	Turner
Haynie	Paris,	W A. Walton,
Harrison,	Phillips,	Walker
Harrall,	Poole,	West,
Hawkins,	Pottle	H L Williams
Hardison,	Powers.	Wilson
Henderson,	Redding,	Young

Those who voted in the negative are, Messrs.

Alread	Manor	Stephens,
Arnold,	McDougald,	J. Stewart,
Cameron,	McLean	Stokes
Benj. Cleveland.	McMullin,	Strickland,
W. C. Cleveland,	Nichols	Sweat.
Crawford	Pickett,	Trice.
Fish	Powell	Whitworth:
Griffin,	G R Reid	A. J. Williams
Harris,	Richardson,	Williamson,
Hays,	Riley	Williford,
Headen,	Rowell	Woodward
Martin	Rumph,	Yopp.
Maxwell,	W. R. Smith,	

So the motion prevailed.

The House took up the engrossed bill to be entitled an act to levy and collect a tax for each of the political years 1854 and 1855, and thereafter until repealed; which was the special order of the day

Mr. Irwin call the previous question which was sustained and the main question ordered to be put; which was upon agreeing to the report.

Upon the question, "Shall this bill now pass?" the yeas

and nays were required to be recorded—at the call of Mr. Cleveland of Habersham—and are: yeas 40, and nays 48.

Those who voted in the affirmative are Messrs.

Anderson,	Maxwell,	W Smith,
Arnold	McComb,	Stapleton
Clark,	McGregor,	I. S Stewart
Cody,	McWhorter.	J. Stewart,
Eberhart,	Phillips,	Stokes,
Green	Pottle,	Strickland,
W. P. Harden,	Powell	Sweat.
Haynie	Powers	Turner,
Harrison,	M. Reid,	W A. Walton,
Harrall	Richardson,	Walker
Irwin,	Rowell,	H L Williams
Jones	Rucker	Wilson,
Mangham	Shewmake,	
Martin	W R. Smith,	

Those who voted in the negative are, Messrs.

Adams,	Hardison,	Redding,
Alread,	Headen,	G R Reid
Andrews	Henderson,	Reynolds,
Armstrong,	Keith,	Riley
Cameron	Linn	R A Robinson
Benj. Cleveland,	Manor,	Rumph,
W. C. Cleveland,	Mays	Stephens,
Fields,	McCurdy.	Trice,
Fish,	McDougald,	West,
Grant,	McLean,	Whitworth,
Griffin,	McMullin,	A J Williams
Gross,	Mobley	Williamson,
J. Harden,	Nichols	Woodward,
Harris,	Paris	Young,
Hatton,	Pickett.	
Hays	Poole,	

So the bill was lost.

Mr Trice moved to take up the following resolution, to wit:

*Resolved*, That his Excellency the Governor be requested to furnish the House of Representatives, as soon as practicable, the whole amount of the indebtedness of this State, in such form that at one glance said amount may be seen, and the cause of said indebtedness, and when due; which was taken up and adopted

The House took up the report of the committee on the bill to be entitled an act to amend the several acts in force to incorporate the town of West Point in Troup County, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

On motion of Mr. Clark the House adjourned until half-past 7 o'clock, P. M.

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### HALF PAST SEVEN O'CLOCK, P. M.

The House met pursuant to adjournment.

The House took up the report on the bill to be entitled an act to prevent the abatement of suits in certain cases.

On motion of Mr McDougald, the same was postponed indefinitely.

The House took up the report of the committee on the bill to be entitled an act to change the name of Missouri Binum, of the county of Paulding, to Missouri Hackett, and to legitimize the same.

Mr. Reynolds offered the following amendment, which was agreed to :

*"And be it further enacted,* That the name of Elizabeth Tishaw be changed to that of Elizabeth Luckey.

The report as amended was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to authorize the Justices of the Inferior Court of the county of Scriven to open the land office of said county, to vest them with all the powers of holding Land Courts that are now exercised by the Justices of the Peace in lieu of said Justices.

The report was disagreed to, and the bill was lost.

The House took up the report on the bill to be entitled an act to prevent the abatement of certain actions at law.

The bill was read the third time, and on motion of Mr McDougald, was postponed indefinitely.

The House took up the report on the bill to be entitled an act for the more complete and efficient organization of the several Brigades of the State of Georgia.

The report was disagreed to. The bill was read the third time and lost.

The House took up the report of the committee on the bill to be entitled an act for the relief of the citizens of Paulding county.



The report was disagreed to; and the bill was read the third time and lost.

The House took up the report of the committee on the bill to be entitled an act to authorize the issuing of grants to Washington Dial of Appling county, for certain fractional lots therein named.

The bill was read the third time, and on motion of Mr. Cleveland of Habersham, the bill was laid on the table for the balance of the session.

The House took up the report of the committee on the bill to be entitled an act to incorporate the Savannah Lumber Manufacturing and Planing Machine company.

The report was agreed to, and the bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to remove an election precinct from the house of Mrs. Anny Greer in 373d district, G. M., in Jasper county, to the House of Moses Chaffin in said county and district.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to extend the powers of the Hamilton Female college company, incorporated by the Superior Court of Harris county, and for other purposes therein contained.

The report was agreed to, and the bill was read the third time and passed.

The House went into committee of the whole, Mr Arnold in the Chair—on the bill to be entitled act to appropriate money for the purpose of grading a good Waggon road through the Pine Mountain, within four miles of the town of Hamilton, in said county, and appoint commissioners for the same and for other purposes, and after some time spent therein, the committee rose and reported the bill back to the House without amendment.

The report was disagreed to. The bill was read the third time and lost.

The House took up the report on the bill to be entitled an act to authorize the substitution of the funded debt of this State in certain cases.

On motion of Mr. Ward, the bill was referred to the Committee on Finance.

The House took up the report on the bill to be entitled an act to change the line between the counties of Hall and Lumpkin.

On motion of Mr. Headen, the bill was laid on the table for the balance of the session.

The House took up the report of the committee on the bill to be entitled an act to repeal an act entitled an act to alter

and amend the several acts in relation to itinerant traders, and to prescribe the mode of their obtaining license, approved November 27th, 1845, and for other purposes.

The report was disagreed to. The bill was read the third time and lost.

The House took up the report on the bill to be entitled an act to change the time for holding elections for members to represent the people of this State in the Congress of the United States.

Upon the motion to agree to the report, the yeas and nays were required to be recorded—upon the call of Mr. McDougald—and are: yeas 8, nays 60.

Those who voted in the affirmative are Messrs.

Griffin	McDougald,	Whitworth
Latham	Phillips,	H. L. Williams,
Mangham,	Riley	

Those who voted in the negative are, Messrs.

Alread,	Hatton.	Redding,
Anderson,	Hays,	G. R. Reid,
Andrews,	Hardison	M. Reid,
Arnold	Headen,	Reynolds
Armstrong,	Henderson	Richardson,
Cameron	Irwin,	Rumph
Clark	Jones,	Shewmake,
Benj. Cleveland,	Keith	Stephens
W. C. Cleveland,	Linn,	L. S. Stewart
Clements,	Maxwell,	Strickland,
Cody,	Manor,	Sweat
Dawson	McCurdy,	Thornton,
Fields,	McGregor,	Turner,
Fish,	McLean,	W. A. Walton,
Gartrell,	McMullin,	Walker.
James Hardin,	Nichols	A. J. Williams
Haynie	Paris	Williamson,
Harris	Pickett,	Williford,
Harrison,	Poole	Woodward
Harrall,	Powell	Young,

So the bill was lost.

The House went into Committee of the Whole—Mr. Arnold in the Chair—on the bill to be entitled an act to appropriate a sum of money to remove obstructions from the main channel of Little Canoochee River, the south prong of Canoochee River, in the county of Liberty, and to render the

same navigable for timber, rafts, lumber, wood and produce thereon, and for other purposes herein mentioned, and after some time spent therein, the committee rose and reported the bill back to the House without amendment.

On motion of Mr. Clark, the bill was laid on the table for the balance of the session.

The House took up the report on the bill to be entitled an act to require his Excellency the Governor to draw his warrant on the Treasury in favor of the Ordinary of Sumter county for a certain sum of money, for the purpose therein mentioned.

The bill was read the third time and on motion of Mr. Arnold, was laid on the table for the balance of the session.

The House took up the report on the bill to be entitled an act to prevent gaming, and to make the punishment of offenders against the gaming laws of this State more certain.

The bill was read the third time, and on motion of Mr. Griffin, the bill was laid on the table for the balance of the session.

The House took up the report on the bill to be entitled an act to grant to Ishmeal Brannon, of Talbot county, the right and privilege of making a crossing place across the thirtieth section of the Muscogee Rail Road, near the village of Geneva, in Talbot county, and for other purposes therein stated.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to change the name of William Riley Rodgers, of the county of Campbell, and legitimize the same.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to authorize Leonidas Socrates Lawhon, of the county of Cherokee, to plead and practice law and equity in this State, as though he were of lawful age.

The report was agreed to. The bill was read the third time and passed.

The House went into Committee of the Whole, Mr. Arnold in the Chair, on the bill to be entitled an act to appropriate money to compensate Hansel R. Seward, therein named, for pursuing and arresting James Williams, who was charged with the offence of murder, and to reimburse the said H. R. Seward for expenditures in having the said James Williams committed to jail.

On motion of Mr. Cleveland of Habersham, the same was laid on the table for the balance of the session.

The House took up the report of the committee on the bill

to be entitled an act to limit the construction hereafter to be given to the act prescribing the mode of partitioning lands and tenements.

The report was agreed to, and the bill was read the third time and lost.

The House took up the report of the committee on the bill to be entitled an act to make permanent the election precinct in the 1087th District, G. M., in Paulding county.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to lay out and organize a new county from parts of Campbell, Carroll, Paulding and Polk, attach the same to a Congressional and Judicial District, provide for the location of a county site in such new county, and for other purposes.

On motion of Mr. Smith, the bill was laid on the table for the balance of the session.

The House went into Committee of the Whole—Mr. Arnold in the Chair—on the bill to be entitled an act to appropriate money to pay Larkin H. Davis of the county of Carroll, for apprehending A. A. Hunt, who is charged with the crime of murder, upon the body of Richard Ralston, on the 11th of January, 1854, and after some time spent therein, the committee rose and reported the bill back to the House without amendment, and on motion of Mr. McMullin, the bill was laid upon the table for the balance of the session.

The House took up the report on the bill to be entitled an act to authorize O. Profit, of the county of Jasper, to practice medicine, and charge and collect compensation for the same.

On motion of Mr. Cleveland of Habersham, the bill was laid on the table for the balance of the session.

The House took up the report of the committee on the bill to be entitled an act to authorize the Georgia Historical Society to raise by lottery a sum of money therein mentioned, for the benefit of the said corporation.

On motion of Mr. Ward, the bill was laid on the table for the balance of the session.

The House went into Committee of the Whole—Mr. Arnold in the Chair—on the bill to be entitled an act to appropriate five thousand dollars for the Professors of the University of Georgia, and also the sum of five thousand dollars to the Military Institute at Marietta, and after some time spent therein the committee rose and reported the bill back to the House without amendment.

Mr. Thornton moved to make the bill the special order of Tuesday next.

Upon which motion, Mr. Thornton required the yeas and nays to be recorded, which are : yeas 30, nays 40.

Those who voted in the affirmative, are Messrs.

Alread,	Lamar	Stephens,
Cameron	Latham	L S Stewart,
Cody,	McCurdy,	Thornton,
Crawford,	McMullin,	Turner
Gartrell,	Paris,	W A Walton
Gross,	Phillips	Walkei,
W. P Harden	Poole,	West.
Headen	Powell	A J Williams
Irwin,	Shewmake,	H. L. Williams,
Jones,	W R Smith,	Young.

Those who voted in the negative are, Messrs.

Adams,	Hatton,	G. R. Reid
Anderson,	Hays,	M. Reid,
Andrews	Hardison,	Reynolds
Arnold	Henderson,	Richardson,
Clark,	Keith,	Riley
Benj. Cleveland,	Linn	Rumph,
Clements,	Mangham,	Strickland,
Dawson	Maxwell,	Sweat,
Fields.	Manor,	J. H. Walton,
Fish	McGregor,	Whitworth.
Griffin	McLean,	Williamson,
Haynie	Mobley	Williford
Harris,	Nichols	Woodward,
Harrison,	Pickett,	
Harrall,	Redding,	

So the motion to make it the special order was lost.

Mr. Griffin moved to lay the bill on the table for the balance of the session.

Upon which motion, Mr. Cody required the yeas and nays to be recorded, which are : yeas 50, nays 22.

Those who voted in the affirmative are Messrs.

Adams,	Fields,	Hatton,
Alread,	Fish	Hays
Anderson,	Green	Hardison,
Arnold	Griffin	Henderson,
Armstrong,	J. Hardin,	Keith,
Clark	Haynie,	Latham.
Benj. Cleveland,	Harris,	Linn
Clements,	Harrison	Mangham,
Crawford,	Harrall,	Maxwell

Manor	G. R. Reid	Sweat
McDougald,	M. Reid,	Turner,
McLean	Richardson	Whitworth,
Mobley,	Riley	Williamson,
Moody.	Rumph	Williford
Paris,	W. R. Smith,	Woodward.
Pickett	Stephens,	Young,
Redding.	Strickland,	

Those who voted in the negative are, Messrs.

Cameron	McGregor,	J. H. Walton,
Cody	McMullin	W. A. Walton.
Gartrell	Phillips,	Walker,
W. P. Harden,	R. A. Robinson,	West
Irwin,	Shewmake	A. J. Williams,
Jones	L. S. Stewart	H. L. Williams
Lamar,	Stokes,	
McCurdy,	Thornton	

So the motion prevailed.

On motion of Mr. McMullin, the House then adjourned until half-past nine o'clock, on Monday morning next.

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### MONDAY, FEBRUARY 13th, 1854.

The House met pursuant to adjournment.

Mr. McDougald moved to reconsider so much of the Journals of Saturday last as relates to the rejection of the bill to be entitled an act to indemnify and compensate certain persons therein named on account of expenditures made and services rendered by them in certain litigation growing out of the disputed boundary question between this State and the State of Alabama.

Pending which, the following communication was received from His Excellency the Governor, through Mr. DeGraffenreid, his Secretary, to wit:

EXECUTIVE DEPARTMENT, }  
MILLEDGEVILLE, GEO., February 13th, 1854. }

*To the House of Representatives:*

The Legislature being near the close of its labors, and having passed no bill to provide a revenue to meet the wants of the Government for the political years 1854 and 1855, I feel it to be my duty to call your attention specially and emphatically to this important subject. The honor and

credit of the State, now standing so high in the estimation of the world, must be a source of proud congratulation with every true hearted Georgian. They are in the keeping of the Representatives of the people. By wise and liberal legislation they may be elevated still higher, and may challenge yet more implicitly the confidence and admiration of mankind ; whilst on the other hand the slightest hesitation on the part of the Legislature to meet the liabilities of the State will stain her fair escutcheon. This, however, cannot, must not be. Her guardians will not shrink from their solemn duty. They ought, they must, without reluctance, adopt such a measure for revenue as will meet the demands of the State Treasury for the political years 1854 and 1855.

To enable you to see at a glance the necessities of your Treasury for these two years, I have made a careful estimate, and herewith submit it in a tabular form.

The regular expenses of 1854 will be	\$490,000 00
To this must be added an appropriation made during this session for interest advanced on Central Bank Bonds by the Bank of the State of Georgia	\$ 22,000 00

ALSO,

Miscellaneous appropriations already made and to be made by the present Legislature	\$ 20,000 00
From which it will appear that the demands on the Treasury for 1854 will be	\$532,000 00
The estimated expenses for the year 1855 are	\$370,000 00
So that the demands on the Treasury for 1854 and 1855 will be	\$902,000 00

How is this amount of revenue to be raised? There is but one answer to the question. It must be raised by taxation. We have no other certain source of revenue ; hence it must be evident to every fair and right minded man that the tax laws of 1851 and 1852 are wholly inadequate for the exigencies of the case. If you intend to adhere to the *ad valorem* principle of taxation, it is indispensable, so to amend the 15th section of that Act, as to authorize the requisite amount to be assessed and collected. And also to re-enact the supplementary act, approved the 19th of January, 1852. And if you should deem it wise to abandon the *ad valorem* principle and return to that of specific taxation, I respectfully urge that you will adopt such a measure as will place the raising the needed amount beyond possible contingency. The laws of 1851 and 1852 limited the amount to be raised to \$375,000 00. Under its provisions the demands upon the Treasury were met and the credit of the State maintained. Some, without giving the subject due reflection, may ask whence the necessity of raising a

larger sum for the political years 1854 and 1855? They may inquire why will not the same amount of revenue support the Government? In the absence of a satisfactory response, they might feel themselves justified in refusing to increase the amount to be assessed and collected. But the explanation is easy and conclusive and will not fail to satisfy every one who desires the information for the sincere purpose of ascertaining his duty. It is simply this: during the years 1851 and 1852 there were paid into your State Treasury nearly \$145,000 00, collected from the United States on account of Military claims against the Federal Government, which in common with the revenue from taxation, were subject to be used, and were used in conducting the State administration.

It is perhaps proper also, in this connection, to call your attention to an error, which it is apprehended has run through all the estimates which have been made during this session upon this important subject of revenue and expenditure. Referring to the report of the late Treasurer my predecessor, in his message, on page 4, says: The report of the Treasurer shows the available balance in the Treasury on the 20th of October, 1853, to be \$74,857 35.

This was a mistake easily made, and no doubt resulted from too casual an inspection of the report of that officer, but is nevertheless a mistake. On page 14 of the late Treasurer's report, you will perceive that although he shows an available balance of \$74,783 28 on the 20th of October, 1853, yet immediately below it you will see divers large demands against that sum, amounting in the aggregate to \$73,220 29, leaving a net surplus for the fiscal year 1854, of only \$1,562 99. And so the late Treasurer considered, as is obvious from an inspection of the last item of the estimated receipts for 1854, on the 15th page of this report.—Palpable, however, as is this error, it is calculated to mislead, and doubtless has misled those who have undertaken to estimate the probable receipts for the year 1854. They have considered \$73,220 29 as a net surplus in the Treasury at the beginning of the fiscal year 1854, instead of \$1,562 99, which is the true net surplus. The effect has been to diminish the amount of \$73,220 29, the gross estimate of the sum required to be provided for the present year, an item of considerable magnitude where it is so important to approximate accuracy.

I apprehend that many are laboring under another error, which may not be without its effect in producing a reluctance on their minds to sustain an efficient and adequate measure of taxation. They are anticipating some portion of the required revenue to be realized from the proceeds of the Western and Atlantic Rail Road. No effort will be omitted in the management of that work, to render it avail



able for so desirable an object at the earliest possible period. The most rigid economy consistent with success, will be enforced in all its operations, and its operatives will be held to the utmost energy and fidelity in the discharge of their duties. By this course, it is hoped that the Road may be made to yield something for the Treasury in the year 1855.

But in view of its present condition and liabilities, nothing can be promised from the proceeds of 1854. By the large expenditures of the last two years, the road is in good order, with a tolerably ample equipment. It is doing well. The increase of its earnings during the months of October, November and December last, was about \$12,000 over and above the aggregate earnings for the corresponding months of the year 1852. But the buildings commenced on so commodious and expensive a scale, are not completed, and it will require large expenditures still to complete them.

Moreover, the present liabilities of the Road amount to about two hundred and seventy thousand nine hundred and eleven dollars and sixty one cents, besides interest. In view of these facts it cannot be expected, that any part of the revenue, for the fiscal year 1854, can be drawn from that source. and for the year 1855, it is too uncertain, to be made the basis of legislation, in the adoption of a measure of taxation. It is best to authorize sufficient to be raised by taxation, irrespective of any reliance upon that quarter. If time shall show, that it will yield a portion of your revenue, you may rest assured, that it will be accomplished if possible and that it will be availed of, in time to influence favorably the per centum which may be authorized to be assessed.

I therefore respectfully submit to your consideration the fact that it will require for the fiscal years 1854 and 1855 about \$902,000 to meet the exigencies of the State Government; that to raise that sum you must inevitably resort to taxation. The amount seems large, but what is that to a great, free, flourishing and growing State with boundless resources and unconquerable energies? Where is the true Georgian that will falter? Where is the Representative that will bring reproach upon her credit and fair fame by hesitating to support such a measure of revenue as will maintain her honor and redeem her pecuniary obligations? This whole subject is most respectfully urged upon your favorable consideration, and your prompt action solemnly invoked.

HERSCHEL V. JOHNSON.

On motion of Mr. Phillips, the foregoing communication from his Excellency the Governor, was taken up and read.

The House resumed the consideration of Mr. McDougald's motion to re-consider.

Whereupon, the yeas and nays were required to be re-

corded, at the call of Mr. Cleveland, of Crawford, and are yeas 52, nays 42.

Those who voted in the affirmative are Messrs.

Adams	Leverett,	Win. Smith,
Brown	Mays,	L S Stewart
Cameron	McComb	J. Stewart,
Cody,	McCurdy	Stokes,
Crawford,	McDonald,	Sweat,
Dawson,	McDougald,	D. W Taylor.
Eberhart,	McGregor,	Thornton,
Gartrell	Paris,	Turner
Green	Phillips	J H Walton,
W P Harden	Pickett	Walker,
J. Hardin,	Poole,	West
Haynie	Powers.	H L Williams
Harrison,	G. R. Reid,	A J Williams
Hawkins,	M. Reid	Wilson,
Hamilton	Riley,	Woodward,
Hendrick	R A Robinson	Young,
Lamar	Rowell	
Latham	Shewmake	

Those who voted in the negative are Messrs.

Alread	Harris	McMullin,
Anderson,	Harrall,	Mobley.
Andrews,	Hatton,	Nichols,
Arnold	Hays	Reynolds
Armstrong,	Hardison,	Richardson
Bostwick,	Headen	Rumph,
Clark.	Henderson	W. R. Smith,
Benj. Cleveland	Hudson,	Stapleton,
W. C. Cleveland,	Keith,	Stephens,
Clements,	Linn	Strickland,
Fields,	Mangham	Whitworth,
Fish,	Martin	Williamson,
Griffin	Manor	Williford
Gross	McLean	Yopp.

So the motion prevailed.

The following message was received from the Senate, by Mr. Dixon, their Secretary pro tem.

*Mr. Speaker*—The Senate has passed the following bills of the House of Representatives, to wit :

A bill to incorporate the Milledgeville Hotel Company—Also,

A bill to authorize the Ordinary of Upson county to pay over to certain teachers of poor children the amount of their claims on said county for 1852. Also,

A bill to authorize the Inferior Court of Lumpkin county to levy an extra tax for building a jail. Also,

A bill to amend an act for the relief and support of widows and orphans, assented to December 29th, 1838.—Also,

A bill to incorporate the Savannah Hotel Company.—Also,

A bill to amend the several road laws of this State, so far as relates to the county of Chatham. Also,

A bill to alter and amend the eighth section of an act entitled an act to carry into effect the amended Constitution of this State in reference to the Ordinaries of said State so as to change the time of holding the Courts of Ordinary from the first to the second Monday in each and every month, so far as the county of Cherokee is concerned. Also,

A bill to incorporate Churches in Gilmer county.—Also,

A bill for the relief of Jane Levy, wife of Lewis Levy of Richmond county. Also,

A bill to incorporate the Monticello and Griffin Rail Road Company. Also,

A bill to authorize and require the Poor School Commissioners of the county of Warren, to pay George W Ray the amount paid by him as Justice of the Peace, for teaching poor children in 1850. Also,

A bill to authorize the commissioners of the town of Louisville to sell and dispose of such streets as they may think proper, and make valid deeds to such streets as may have been sold by previous Boards of Commissioners. Also,

A bill to extend the provisions of an act amending the acts regulating fees of magistrates and constables, so far as relates to the counties of Bibb, Richmond, Monroe and Lee, and to provide for collecting the same, approved January 22d, 1852, so far as to include within its provisions the counties of Warren, Troup, Hancock and Merriwether. Also,

A bill to incorporate Andrew College, in Cuthbert.—Also,

A bill to change the name of Reuben C. Nail to Reuben C. Wiley, and to legitimize the same. Also,

A bill to wind up the affairs of the Central Bank, and for other purposes. Also,

A bill to amend the second section of an act to authorize the construction of the Magnetic Telegraph, and to provide for the protection of the same, approved December 29th, 1847. Also,

A bill to incorporate the Church Wardens and Vestry of

the Protestant St. John's Church Free Chapel in the city of Savannah.

The Senate has passed the following bills of the House of Representatives with amendments, in which they ask the concurrence of the House, to wit :

A bill to amend and explain the 4th section of an act entitled an act for the prevention of frauds and perjuries.— Also,

A bill to refund certain monies to Cobb county. Also,

A bill to carry into effect an act respecting bastardy and other immoralities, approved December 16th 1793. Also,

A bill to compensate the Grand and Petit Jurors of Clarke county. Also,

A bill to incorporate a Bank in the City of Savannah to be called the Merchants and Traders Bank. Also,

A bill to amend an act to incorporate the town of Marietta, in the county of Cobb, to enlarge the boundary of said town, and for other purposes, approved January 22d, 1852. Also,

A bill to allow teachers of poor children in the counties of Warren, Crawford, Chattooga, McIntosh and Irwin to furnish books and stationery to such children, and to provide for the payment of the same. Also,

A bill for the protection of planters and cotton sellers in certain cases in this State.

The Senate has also concurred in the amendment of the House of Representatives to the bill of the Senate, changing the line between the counties of Wilkes and Taliaferro.

Mr. Mobley moved to re-consider so much of the Journals Saturday as relates to the bill to be entitled an act to require his Excellency the Governor to draw his warrant on the Treasury in favor of the Ordinary of Sumter county for a certain sum of money for the purposes therein mentioned; which motion prevailed.

Mr. McDougald moved to reconsider so much of the Journals of Saturday as relates to the rejection of the bill to be entitled an act to levy and collect a tax for each of the political years 1854 and 1855, and thereafter until repealed; which motion prevailed.

Mr. Phillips moved to re-consider so much of the Journals of last Saturday as relates to the bill to be entitled an act to limit the construction hereafter to be given to the act prescribing the mode of partitioning lands and tenements; which motion prevailed.

Mr. Phillips moved to take up said bill; which was agreed to.

Upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded, and are : yeas 26, nays 20.

Those who voted in the affirmative are Messrs.

Adams	Hendrick	Rucker
Andrews	Hudson,	W. Smith,
Armstrong,	Irwin,	Stapleton,
Brown	Jones,	Stephens,
Clark	Lamar,	J Stewart
Benj. Cleveland	Leverett,	Stokes,
W C Cleveland	Linn	Sweat,
Clements	McComb	D. W Taylor,
Cody	McCurdy,	Thornton,
Crawford,	McDonald,	Turner,
Eberhart	McDougald,	J. H. Walton,
Grant	McGregor	.W. A. Walton,
J Hardin,	Nichols	West,
Haynie,	Paris	A J Williams
Harris,	Phillips	H. L. Williams,
Harrison	Pickett,	Williamson.
Harrall	Poole,	Wilson,
Hays	Powell	Williford,
Hawkins,	Powers,	Woodward
Hamilton	R A Robinson	Young
Henderson,	Rowell,	

Those who voted in the negative are Messrs.

Alread	Headen	Reynolds,
Arnold,	Latham,	Richardson,
Cameron	Mangham	Riley,
Fields	Martin	Rumph
Fish,	Manor,	Shewmake
Gartrell	McLean	W. R. Smith,
Griffin	McMullin	Strickland
Gross	Mobley,	Walker
W. P. Harden,	G. R. Reid,	Whitworth,
Hatton	M. Reid,	Yopp,

So the bill was passed.

On motion of Mr. Phillips, the House took up the Senate amendments to the bill to be entitled an act for the election of public printer, etc.

Mr. McCurdy called the previous question, which call was sustained, and the main question ordered to be put, it being concurrence or non-concurrence in the Senate amendments.

Upon said question the yeas and nays were required to be recorded, at the call of Mr. Reynolds, and are : yeas 57. nays 38.

Those who voted in the affirmative are Messrs.

Adams,	Irwin	M. Reid,
Andrews	Jones,	R A Robinson
Cameron	Lamar	Rowell
W. C. Cleveland,	Latham.	Rucker
Crittenden	Linn,	W. R. Smith,
Eberhart,	Mangham	W. Smith,
Fish,	Manor	Stokes,
Gartrell,	Mays	Sweat,
Griffin,	McComb	J. Taylor,
W P Harden,	McCurdy,	D. W. Taylor
James Hardin,	McDonald,	W A. Walton,
Harrison	McGregor	Walker
Hays	McLean	West.
Hawkins,	McMillan	Whitworth,
Hardison	Mobley,	A. J. Williams
Hamilton,	Nichols,	H. L. Williams,
Henderson	Phillips,	Williamson,
Hendrick,	Powell	Wilson,
Hudson,	G. R. Reid,	Young.

Those who voted in the negative are Messrs

Alread,	Gross,	Redding,
Anderson,	Haynie	Reynolds
Arnold,	Harris,	Riley,
Armstrong,	Harrall	Shewmake
Brown	Hardeman,	Stephens
Clark,	Headen,	L. S. Stewart,
Benj. Cleveland,	Martin	J. Stewart,
Clements	Maxwell,	Strickland,
Cody,	McDougald	J H Walton
Dawson	McMullin,	Williford
Dubignon,	Paris,	Woodward,
Fields,	Pickett	Yopp.
Green	Poole	

So the amendments were concurred in.

On motion of Mr. Gartrell, the Clerk was directed to transmit the bill forthwith to the Senate.

On motion of Mr. Arnold, the resolution for final adjournment was taken up. The blank was filled with Friday next, 17th inst., and the same was adopted.

On motion of Mr. Mobley, the Clerk was directed to transmit the resolution forthwith to the Senate.

The following message was received from the Senate by Mr. Dixon, Secretary pro. tem.

*Mr. Speaker*—The Senate has agreed to a resolution, furnishing certain books to certain counties therein named.—Also, a report and resolutions from the committee on the State of the Republic, relating to the boundary line between the States of Florida and Georgia.

The Senate has also passed a bill, to authorize the Georgia Rail Road and Banking Company, to receive and incorporate into their present Rail Road, as a part thereof, a new Rail Road to be built between points of Macon and Warrenton, by way of Milledgeville, and to amend the charter of the Milledgeville Rail Road Company, and to confer certain powers on the same.

Mr. Phillips offered the following resolution, which was taken up, read and adopted :

*Resolved*, That both branches of the General Assembly, will convene in the Representative Chamber on to-morrow, Tuesday, the 14th instant. at 10 o'clock A. M., to proceed to the election of State Printer, for 1855 '56.

On motion of Mr. Phillips, the foregoing resolution was ordered to be transmitted to the Senate immediately.

On motion of Mr. Griffin, the House took up the reconsidered engrossed bill to be entitled an act to levy and collect a tax for the political years 1854 and 1855, and thereafter until repealed.

The bill was read the third time ; and upon the question "Shall this bill now pass?" the yeas and nays were required to be recorded, on the call of Mr. Pickett, and are : yeas 54, nays 38.

Those who voted in the affirmative are, Messrs.

Anderson	Hendrick	M. Reid.
Andrews,	Jones,	Richardson
Bostwick	Lamar	R A Robinson
W. C. Cleveland,	Latham,	Rowell
Crittenden,	Leverett,	Rucker
Eberhart	Mangham	Rumph,
Fish,	Martin	W. R Smith,
Green	Maxwell	W. Smith,
Griffin,	Mays,	J. Stewart,
W P Harden,	McComb,	Stokes
Haynie,	McCurdy,	Strickland,
Harrison,	McGregor,	Sweat
Hatton	McMillan,	J. Taylor.
Hardeman,	Nichols,	D W Taylor
Hays,	Phillips	J. H. Walton,
Hawkins	Poole,	W A. Walton,
Hardison,	Powell,	Whitworth,
Headen	G R Reid	H L Williams

Those who voted in the negative are, Messrs.

Alread	Gross,	Reynolds
Arnold	Harris	Riley
Armstrong,	Hamilton,	Shewmake,
Brown	Hudson,	L. S. Stewart,
Calloway,	Keith,	Thornton,
Cameron,	Linn.	Turner,
Clark	Manor,	Walker,
Benj. Cleveland,	McDougald,	West,
Clements	McLean,	A J Williams,
Cody,	McMullin,	Williford,
Crawford,	Mobley	Woodward,
Dawson,	Paris,	Young,
Gartrell,	Pickett,	Yopp.
Grant,	Redding,	

So the bill was passed, and the Clerk was directed to transmit the same to the Senate immediately.

On motion of Mr. Yopp the order of the House was suspended, and the House took up the report on the Senate bill to be entitled an act to alter and amend the act to prescribe the mode of laying out private ways, and for other purposes, approved January 17th, 1852.

The report was agreed to. The bill was read the third time and passed.

On motion of Mr. Mangham, leave of absence was granted to Mr. Trice on account of indisposition.

The House took up the report on the bill to be entitled an act to authorize the Governor of this State, to issue State Bonds to the Eljay Railroad company, and for other purposes therein mentioned.

On motion of Mr. Redding, the bill was postponed the balance of the session.

The House took up the report on the bill to amend an act passed on the 22d of January, 1852, so far as relates to Wm C. Dobbs.

The report was agreed to. The bill was read the third time and passed.

The House went into Committee of the Whole—Mr. Arnold in the chair—on the bill to be entitled an act for the relief of P. L. J. May of the county of Macon; after some time spent therein, the committee rose and reported the bill back to the House with amendment.

The report as amended was agreed to. The bill was read the third time, and upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded, at the call of Mr. Gross, and are : yeas 40, nays 45.



Those who voted in the affirmative are Messrs.

Anderson,	Martin	J Stewart
Brown	McCurdy,	D. W Taylor
Benj. Cleveland,	McDonald,	Thornton,
Cody,	McDougald,	W A. Walton
Crawford,	McMillan	Walker
Crittenden,	McMullin	West,
Dawson,	Mobley,	H L Williams
Dubignon,	Paris,	A. J. Williams.
Haynie	Phillips	Wilson,
Harrison	Powers	Williford,
Hardeman,	R. A. Robinson,	Woodward,
Hawkins,	Rowell,	Young,
Hardison,	Shewmake,	
Hendrick	L S Stewart	

Those who voted in the negative are Messrs.

Adams,	Henderson,	G. R. Reid,
Alread,	Hudson,	M. Reid,
Arnold	Irwin,	Reynolds
Armstrong,	Jones	Richardson,
Clark	Keith,	Riley,
Fields,	Linn,	Rucker
Fish,	Mangham,	W. R. Smith,
Grant	Maxwell,	Wm. Smith,
Griffin,	Manor	Stapleton,
Gross	Mays,	Stephens,
W P. Harden,	McGregor	Stokes
Harris	McLean	Strickland,
Harrall,	Nichols,	Sweat,
Hays	Pickett	J H Walton,
Headen,	Powell	Whitworth.

So the bill was lost.

The House went into Committee of the Whole—Mr. Arnold in the chair—on the bill to be entitled an act to authorize the Governor to draw his warrant upon the treasury for fifty seven dollars and seventy-seven cents, in favor of Geo. Davis, being the amount overpaid by him for taxes to the State, and after some time spent therein, the committee rose and reported the bill back to the House without amendment.

The report was agreed to, and upon the question "Shall this bill now pass?" the yeas and nays were required to be recorded, at the call of Mr. Alread, and are : yeas 47, nays 40.

Those who voted in the affirmative are, Messrs.

Arnold	Harrison,	Poole,
Armstrong	Hardeman,	Powers,
Brown,	Hays.	Radford,
Cameron,	Hawkins	Redding,
Cody	Irwin,	R A Robinson
Crittenden	Jones	Shewmake
Dawson	Linn	Stapleton,
Dubignon,	Mangham,	Staten,
Eberhart	Martin,	L S Stewart
Grant	Mays,	Strickland,
Green.	McDougald,	Sweat,
Gross,	McMillan,	Thornton,
W P Harden,	McMullin,	H. L. Williams,
James Hardin,	Mobley,	Wilson
Haynie,	Paris,	Woodward,
Harris,	Phillips,	

Those who voted in the negative are, Messrs.

Alread	Hendrick	Riley
Anderson	Hudson,	Rowell,
Bostwick	Keith,	W. R. Smith.
Clark,	Latham	W Smith
Benj. Cleveland,	Maxwell.	Stokes,
W C Cleveland	Manor	D W Taylor
Clements	McDonald	Turner
Crawford,	McGregor,	J. H. Walton,
Fields,	Nichols	W. A. Walton,
Griffin,	Pickett,	Walker
Harrall,	G. R. Reid,	West
Hardison,	M. Reid,	Williford
Hamilton,	Reynolds,	
Headen,	Richardson,	

So the bill was passed.

The House went into Committee of the Whole—Mr. Arnold in the Chair—on the bill to be entitled an act for the relief of Margaret Kinman of Chattooga county, and to appropriate money for the same; after some time spent thereon the committee rose and reported the bill back to the House, without amendment.

The report was disagreed to. The bill was read the third time and lost.

The House took up the report on the bill to be entitled an act to change the route of the Western & Atlantic Railroad at Etowah River, and Altoona Creek, and for purposes connected therewith.

The report was disagreed to. The bill was read the third time and lost.

The House went into Committee of the Whole, on the bill to be entitled an act to appropriate money for purposes therein named; after some time spent therein, Mr. Phillips moved to report the bill back to the House, without amendment, with leave to sit again; which was agreed to.

The House took up the report on the bill to be entitled an act to authorize E. G. Doyle of the county of Baldwin, to practice medicine on the Homœopathic system, and charge and collect for the same.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the bill to be entitled an act to prevent the firing of any lands, woods or marshes, &c, anywhere within the county of Thomas.

The report was agreed to. The bill was read the third time and passed.

The following message was received from the Senate by their Secretary pro tem., Mr. Dixon, to wit :

*Mr. Speaker*—The Senate have agreed to resolutions of the House of Representatives, bringing on the election for State Printer the 14th instant, and adjourning *sine die*, the 17th instant.

The House took up the report on the bill to be entitled an act to prescribe the mode of perfecting service of *scire facias*, to revive dormant judgements obtained in Justices Courts.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the bill to be entitled an act to alter the times of holding the Superior Courts of Worth county, and for other purposes.

Mr. Reid of Irwin, offered the following amendment which was adopted, to wit :

*“ And be it further enacted by the authority aforesaid, That so soon as the new counties made at the present session of the Legislature shall be organized, it shall be the duty of the Justices of the Inferior courts of said counties, or a majority of them, together with the Sheriff and Clerk of the Superior Courts of said new counties, and they are hereby authorized and required, to assemble at the Court House or place of in each said new counties, selected for the place of holding said Superior and Inferior courts for said new counties, and from the best information in their possession, shall make out a list of the names of individuals entitled to serve as Grand and Petit Jurors, and the names so made out, shall be by them placed in a box or boxes made for that purpose, and a sufficient number of said names shall be drawn by them from said boxes to serve as Grand and Petit Jurors at the*

Superior Court, and as Petit Jurors at the Inferior Court, first to be held for said new counties, and the Jurors being so drawn, the said box and boxes to seal and to deliver to the proper officer; and it shall be the duty of the Clerk to deliver a list of the Jurors so drawn to the Sheriff, whose duty it shall be to serve the same according to law."

The report, as amended, was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on a bill to be entitled an act to amend an act to alter and amend the several Judiciary acts now in force in this State, so far as relates to Justices Courts, approved December 14th, 1811.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to increase the salaries of the Judges of the Superior Courts of this State.

The report was disagreed to. The bill was read the third time and lost.

The House went into Committee of the Whole—Mr. Arnold in the Chair—upon the bill to be entitled an act to appropriate money for certain purposes therein mentioned.

Mr. Poole offered a substitute for the bill, which was received.

The committee rose and reported the bill, as amended back to the House.

The report as amended was agreed to. The bill was read the third time.

Mr. Mobley called the previous question; which call was sustained, and the main question was ordered to be put.

And upon the question. "Shall this bill now pass?" the yeas and nays were required to be recorded, at the call of Mr. Gartrell, and are, yeas 21, nays 57.

Those who voted in the affirmative are, Messrs.

Crittenden,	Hawkins	R A Robinson
Eberhart,	Jones	Turner
Gartrell,	McCurdy,	W A. Walton,
Haynie	Phillips,	Walker
Harrall	Poole,	H. L. Williams,
Hardeman	Redding	Wilson
Hays	M. Reid,	Young,

Those who voted in the negative are, Messrs.

Adams,	Andrews	Bostwick,
Alread,	Arnold,	Cameron.
Anderson,	Armstrong	Clark,

Benj. Cleveland,	Mangham	Rumph,
Dawson,	Maxwell,	Shewmake,
Dubignon	Manor,	W. R. Smith,
Fields	McDougald	W Smith,
Fish	McGregor,	Stapleton
Griffin,	McLean,	L. S. Stewart
Gross	McMullin	J Stewart
W. P. Harden,	Mobley,	Stokes
Harris	Nichols,	Strickland
Harrison	Paris,	Sweat,
Hardison,	Pickett	J. Taylor
Hamilton,	Powers	Thornton,
Headen,	G R Reid	West
Henderson,	Reynolds	Whitworth,
Irwin,	Riley	A J Williams
Keith	Rowell	Williamson,

So the bill was lost.

Mr. Gartrell, from the committee on Enrolment, reported as duly enrolled, the following bills, to wit :

A bill to be entitled an act to define the line between the counties of Wayne and Ware so far as relates to the south side of Satilla river; also, to change the line between the counties of Cherokee and Forsyth, and to add lot of land 243 in the 15th District of Worth, to the county of Dougherty, and for other purposes therein mentioned.

A bill to be entitled an act to incorporate the Forsyth and Lumpkin Railroad company.

A bill to be entitled an act to incorporate the Mountain Rangers in the county of Gordon.

A bill to be entitled an act to define the liability of rent to levy and sale, and to protect the rights of owners of land in this State.

A bill to be entitled an act to amend an act to alter and change the time of holding the Superior Courts in the county of Marion, to allow said county two weeks instead of one for the term of said courts, to authorize the Judge of said courts to draw two pannels of Grand and Petit Jurors, and to authorize and require the Justices of the Inferior Courts of said county ; to draw an additional panel for the next term of said court, approved December 10th, 1851, so far as to authorize the presiding Judge to hold the Superior courts in said county, longer than the time specified in said act, at his discretion.

A bill to be entitled an act to authorize the distribution of the estates in certain cases therein mentioned.

A bill to be entitled an act to incorporate the Franklin Bridge Company, and for other purposes therein specified.

A bill to be entitled an act to incorporate the Irish Jasper Greens, a Volunteer Corpse of the city of Savannah, and to amend the acts passed by the last General Assembly, in relation to the first regiment, first brigade, first division, Georgia Militia, so far as the same relates to certain companies.

A bill to be entitled an act to incorporate the Macon Manufacturing company.

A bill to be entitled an act to repeal so much of the 3d section of an act, passed 17th January 1852, as requires two panels of Grand and Petit Jurors, to be drawn for the February term of Clarke Superior Court.

A bill to be entitled an act to change the name of Amanda Ransom, to that of Amanda Robinson, and make her the legal heir of Fulton Robinson, and for other purposes therein named, and for other purposes.

A bill to be entitled an act to change the time of holding the Superior courts in the county of Walker and Dade, and the Inferior Courts of the county of Chattooga.

A bill to be entitled an act to authorize the Inferior court of Laurens county, to levy an extra tax for pauper purposes and to authorize the Inferior Court of McIntosh to levy an extra tax for county purposes.

A bill to be entitled an act, to incorporate the Masonic Female College in Lumpkin, Georgia, and to confer certain privileges on the same ; also, to equalize and make valid a transfer of the college lot of land in Covington, buildings and college furniture of the Southern Female College, to the Grand Lodge of the State of Georgia, to change the name of the institution to that of the Southern Masonic Female College, and to confer upon the said College certain corporate powers and privileges therein specified, and to amend an act to incorporate the Cassville Female College, and the Cherokee Baptist College, and to confer certain privileges on the Commissioner of the town of Cassville, assented to, on the 10th January, 1854.

A bill to be entitled an act to amend an act to appoint certain Commissioners for Savannah River, approved February 23d, 1850.

A bill to be entitled an act to protect the citizens of the counties of Dade and Habersham, from the injurious consequences of cattle speculators driving stock through said counties, and spreading distempers to the destruction of the stock of the people living therein, and for other purposes.

A bill to be entitled an act to appoint Commissioners to settle the claims of the creditors, of the Bank of Darien, upon the State of Georgia, and to provide for raising the money which may be required to pay such claims by a sale of State Bonds.

On motion of Mr. Shewmake, the House adjourned until half-past 2 o'clock, P. M.

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### HALF-PAST TWO O'CLOCK, P. M.

The House met pursuant to adjournment.

The House went into Committee of the Whole—Mr. Arnold in the Chair—on the bill to be entitled an act for the relief of James Grenade, Tax Collector of Wilkinson county. After some time spent therein, the committee rose and reported the bill back to the House, with the amendments.

The report, as amended, was agreed to. The bill was read the third time and passed.

Mr. Walker offered the following resolution, to wit :

WHEREAS, It is proposed to increase the Army of the United States, be it

*Resolved*, By the Senate and House of Representatives of the State of Georgia, that Samuel H. Crump, of Augusta, who served credibly in Mexico, as Lieutenant in the Regiment commanded by Col. Echols, until disbanded at the peace, be and he is hereby recommended to the President of the United States as every way worthy to fill an appointment in the Army, in case of such increase.

*Further resolved*, That the Governor be requested to transmit at an early period a copy of these resolutions to the President of the United States.

On motion of Mr. Walker the same were taken up, read and adopted.

On motion of Walker, the House took up the report of the Committee on Agriculture and Internal Improvements on the bill to be entitled an act to appoint an Agricultural Chemist.

Mr. Young moved to fill the blank in Section 5th, with "five hundred dollars."

Upon which motion, the yeas and nays were required to be recorded, on the call of Mr. Phillips, and are : yeas 36, nays 50.

Those who voted in the affirmative are, Messrs.

Adams	Green,	Linn,
Arnold	W. P. Harden,	McCurdy,
Clark,	J Hardin	McDonald
Clements.	Harrison,	McDougald.
Crawford	Hardeman	Mobley
Eberhart,	Jones,	Paris
Grant,	Latham,	Phillips.

Poole,	L. S. Stewart,	West
Powers,	D. W. Taylor	A J Williams
Rowell	Thornton,	H. L. Williams,
Rucker	Turner,	Wilson,
W Smith,	Walker,	Young,

Those who voted in the negative are, Messrs.

Alread	Hamilton,	G. R. Reid,
Bostwick	Headen,	M. Reid,
Cameron,	Henderson,	Reynolds
Benj. Cleveland,	Hendrick	Richardson,
W. C. Cleveland,	Hudson	Rumph,
Cody,	Keith,	Shewmake,
Crittenden,	Leverett,	W. R. Smith
Dawson	Mangham	Stephens,
Fields,	Martin,	J. Stewart,
Gartrell.	Maxwell	Strickland,
Griffin,	Manor,	Sweat
Gross	Mays	J. Taylor,
Harris,	McGregor	J. H. Walton,
Harrall,	McLean,	Whitworth,
Hatton,	McMullin,	Williamson.
Hays,	Nichols.	Williford,
Hardison	Redding,	

So the motion was lost.

Mr. Reynolds moved to lay the bill upon the table for the balance of the session.

Upon which motion the yeas and nays were required to be recorded, and are : yeas 50, nays 42.

Those who voted in the affirmative are, Messrs.

Alread,	Harris,	Manor,
Andrews,	Harrall	McGregor,
Arnold	Hatton	McLean,
Armstrong	Hays,	Nichols,
Bostwick,	Hardison	Redding,
Cameron,	Hamilton,	G R Reid
W. C. Cleveland,	Headen,	M. Reid,
Cody,	Henderson,	Reynolds.
Dawson	Hendrick	Richardson,
Fields,	Hudson,	Rnmph
Fish	Keith	Shewmake,
Gartrell,	Mangham,	W. R Smith,
Griffin	Martin,	Stephens,
Gross	Maxwell,	J. Stewart,



Stokes	J. Taylor,	Williamson,
Strickland,	J H Walton	Williford
Sweat,	Whitworth,	

Those who voted in the negative are, Messrs.

Adams,	Leverett	Riley,
Clark,	Linn	R A Robinson,
Benj. Cleveland,	Mays,	Rowell
Clements-	McCurdy,	Rucker
Crawford,	McDonald,	L S Stewart.
Crittenden,	McDougald,	D. W. Taylor
Eberhart	McMullin,	Thornton,
Grant,	Mobley,	Turner,
Green,	Moughon	Walker,
W. P. Harden,	Paris,	West,
J Hardin	Phillips,	A J Williams
Harrison.	Pickett,	H L Williams
Hardeman	Poole,	Wilson,
Irwin,	Powers,	Young.

So the motion prevailed.

The House took up the report of the committee on the bill to be entitled an act to compel the several Rail Road Companies in this State not heretofore exempt by law, to give in and pay a tax for county purposes in the several counties through which said Rail Roads pass, and for other purposes.

The report was agreed to. The bill was read the third time and upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded—at the call of Mr. Thornton—and are : yeas 55, nays 31.

Those who voted in the affirmative are Messrs.

Airead	Hays,	Mays
Benj. Cleveland.	Hardison,	McCurdy,
Clements,	Hamilton,	McDonald,
Cody,	Headen,	McDougald,
Crawford	Henderson,	McGregor,
Eberhart,	Hudson,	McMullin,
Gartrell.	Keith	Mobley
Grant,	Latham	Nichols
Green	Leverett,	Paris,
Griffin,	Linn,	Pickett,
W P. Harden,	Mangham	Powers.
Haynie	Maxwell,	Redding,
Harris,	Manor	G R Reid

M. Reid,	Rumph,	West,
Reynolds,	J. Stewart ,	Whitworth
Richardson,	Stokes	H L Williams
Riley	Strickland,	Young
R A Robinson	Sweat.	
Rowell	J. H. Walton,	

Those who voted in the negative are, Messrs.

Adams	W P Harden,	Shewmake,
Anderson	Harrison,	W. R. Smith,
Andrews,	Hardeman,	W Smith
Arnold,	Hendrick	Stephens,
Armstrong,	Irwin	L. S. Stewart,
Bostwick,	Jones	Thornton
Clark	Martin	Turner
W. C. Cleveland,	McLean	Walker
Dubignon.	Phillips,	A. J. Williams
Fish	Poole,	
Gross,	Rucker	

So the bill was passed.

The House took up the report of the committee on the bill to be entitled an act to change the line between the counties of Pike and Spaulding, so as to include the residence of Uriah Askew, of the county of Spaulding, in the county of Pike, and to define the line between said counties.

On motion of Mr. Mangham, the bill was indefinitely postponed.

The House took up the report of the committee on the bill to be entitled an act to authorize Samuel L. Heale, a cripple of the county of Gwinnett, as an itinerant trader, to vend any goods, wares and merchandize within the 6th Congressional District, without obtaining license for the same.

On motion of Mr. Cleveland of Habersham, the bill was indefinitely postponed.

The House took up the report of the committee on the bill to be entitled an act to change the name of the Southern and Western Female College.

The report was agreed to. The bill was read the third time and passed.

The House went into Committee of the Whole, Mr. Gartrell in the Chair—on the bill to be entitled an act for the relief of William J Ridgell, of the State of Alabama, and after some time spent therein, the committee rose, and reported the same back to the House without amendment.

The report was disagreed to, and the bill was read the third time and lost.

The House took up the report on the bill to be entitled an act to exempt certain individuals from Road and Jury duties.

The report was agreed to. The bill was read the third time, and upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded, at the call of Mr. Cleveland of Crawford—and are : yeas 41, nays 52.

Those who voted in the affirmative, are Messrs.

Adams,	Hardeman	Shewmake,
Arnold,	Hamilton,	Stapleton,
Armstrong,	Jones	L. S. Stewart,
Boatwick.	Martin	Stokes,
Brown	McCurdy,	Thornton
Cameron,	McGregor	Turner,
Clark	McMullin,	Walker,
Eberhart	Mobley,	A. J. Williams,
Gartrell,	Paris,	H L Williams
Grant,	Phillips	Williamson
Green	Powell	Wilson
W P Harden	G. R. Reid.	Woodward,
J Hardin	Rowell,	Yopp.
Harris,	Rucker	

Those who voted in the negative are, Messrs.

Alead,	Hardison	Redding,
Anderson	Headen,	M. Reid,
Andrews	Henderson,	Reynolds,
Benj. Cleveland,	Hendrick	Richardson,
W. C. Cleveland,	Hudson	Riley
Clements	Keith	R. A Robinson,
Crawford,	Leverett,	Rumph,
Crittenden	Linn,	W. R. Smith,
Dawson,	Mangham,	W Smith
Fields,	Maxwell,	J Stewart,
Fish	Manor,	Strickland,
Griffin,	Mays	Sweat
Gross,	McDougald,	D. W. Taylor,
Harrison,	McLean	J. Taylor,
Harrall,	Moughon	J. H. Walton,
Hatton,	Nichols,	Whitworth,
Hays,	Pickett	
Hawkins,	Poole,	

So the bill was lost.

The House took up the report on the bill to be entitled an act to incorporate a bank, under the name and style of the Farmers and Merchants Bank of Georgia, at Rome.

On motion of Mr. Walker the same was laid on the table for the balance of the session.

The House took up the report on the bill to be entitled an act to alter and amend an act to levy and collect a tax for 1852 and 1853, and thereafter until repealed, approved January 9th, 1852.

The Chair pronounced the bill out of order, and on motion, it was laid on the table for the balance of the session.

The House went into Committee of the Whole, Mr. Raynolds in the Chair—on the bill to be entitled an act for the benefit of John A. Morris, late Tax Collector of Montgomery county; after some time spent therein, the committee rose and reported the bill back to the House, without amendment.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the bill to be entitled an act to allow widows of persons dying intestate to choose and select their respective portion of the negroes of such estates, provided the same can be done without exceeding their distributive shares.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the bill to be entitled an act to create an election precinct in the 1087th District, G. M., on lot of land 731, 19th district, 3d section, in Paulding county; also, one in 886th district, G. M. in Talbot county.

Mr. Thornton moved to amend, by adding, "also, to create a precinct at Jamestown, Chattahoochee county;" which was agreed to.

Mr. Hendrick moved to amend, by adding, "also, to create a precinct at the Court Ground, in the 954th District, G. M., in Randolph county;" which was agreed to.

Mr. Paris moved to amend, by adding, "also, to create a precinct at the house of William Hale, in the 1098th District, G. M., in Dade county;" which was agreed to.

Mr. Martin moved to amend, by adding, "also, to create a precinct at the store of Franklin Gaines, in the county of Elbert."

The report, as amended, was agreed to. The bill was read the third time and passed.

The House went into committee of the Whole—Mr. Arnold in the Chair—on the bill to be entitled an act to appropriate money for the purposes therein mentioned, and after some time spent therein, the committee rose and reported the bill back to the House, as amended.

Mr. Gartrell moved to disagree to the report, by striking out the 1st Section; which motion prevailed.

Mr. Reynolds moved to strike out so much as relates to the payment of \$150 to W. T. Williamson; which motion prevailed.

Mr. Reynolds moved to strike out the salary for the State Librarian, amounting to \$400.

Upon which motion, the yeas and nays were required to be recorded, at the call of Mr. McDougald—and are : yeas 58, and nays 19.

Those who voted in the affirmative are, Messrs

Adams,	Hawkins,	Riley
Alread,	Headen	Rumph
Andrews	Henderson,	Shewmake
Arnold	Hudson.	W R. Smith,
Bostwick,	Latham.	W Smith
Clark	Leverett,	L S Stewart
Benj. Cleveland,	Linn	Strickland,
Clements,	Maxwell	Sweat
Fields,	Manor	Thornton
Fish	McCurdy,	Turner,
Grant	McGregor,	J. H. Walton,
Griffin	McLean	W A. Walton.
Gross.	Mobley,	A. J. Williams,
W. P. Harden,	Nichols,	H L Williams
J. Hardin,	Paris,	Williamson,
Harris,	Redding,	Williford
Harrison	G. R. Reid	Woodward.
Harrall,	M. Reid,	Young,
Hatton,	Reynolds	
Hardeman	Richardson	

Those who voted in the negative are Messrs.

Armstrong,	Mays	J. Stewart
Crittenden,	McDonald,	Stokes,
Dawson	McDougald,	D W Taylor
Eberhart	Moughon,	J. Taylor,
Irwin,	Pickett	West
Jones	R. A. Robinson,	
Mangham,	Rowell	

So the motion prevailed.

Mr. Walker of Richmond, moved to strike out the section offered by Mr. Ward, in the committee ; which was to pay to Bishop Gartland the sum of \$44.

Upon which motion, the yeas and nays were required to be recorded—upon the call of Mr. Ward—and are : yeas 43, nays 39.

Those who voted in the affirmative are Messrs.

Alread,	McGregor,	Stephens,
Bostwick,	McMullin,	J. Stewart,
Clark	Mobley,	Stokes,
Dawson	Redding	Strickland
Green	G. R. Reid,	Turner,
Griffin,	M Reid,	W A Walton
Gross,	Reynolds,	J. H. Walton,
W P Harden,	Richardson	Walker,
James Hardin,	R A Robinson	A J Williams
Harrison	Rowell	Williamson,
Harrall,	Rumph,	Wilson
Hardeman,	Shewmake,	Williford
Irwin,	W R. Smith,	Woodward,
Maxwell	Stapleton	
Manor	Staten,	

Those who voted in the negative are, Messrs.

Adams	Hamilton	Phillips,
Andrews,	Headen	Pickett
Arnold	Jones	Riley,
Calloway	Keith	W Smith
Benj. Cleveland,	Leverett,	L S Stewart,
Eberhart,	Linn,	Sweat
Fields	Mangham,	J. Taylor,
Gartrell,	Mays	D. W Taylor,
Grant,	McCurdy	Thornton
Harris,	McDonald	West,
Hays,	McDougald,	Whitworth
Hawkins	Moughon	H L Williams
Hardison	Paris	Young,

So the motion prevailed.

Mr. Clark offered the following, as an additional section :

"And that the Committee of Two appointed to perform certain labor during the recess, be paid the usual per diem pay, and their Clerk the same ;" which was agreed to.

Mr. Calloway offered the following amendment, as an additional section, which was adopted, to wit :

*"And be it further enacted, That the sum of twenty-one dollars be appropriated to Franklin Malone, for services rendered as witness in attendance before the Committee on Privileges and Elections, in the case of the contested elections from the county of Jasper, at the session of 1851, and that his Excellency draw his warrant for the same in favor*

of Elmore Calloway, a member from the county of Putnam."

Mr. Crawford offered the following, as an additional section :

*"And be it further enacted, That the sum of thirty dollars be and the same is hereby appropriated to Mrs. Malinda Townsend, of the county of Cass, for over tax paid by her in the year 1853, and the Governor be and he is hereby requested to draw his warrant on the Treasurer for said amount. in favor of said Malinda Townsend :"* which was agreed to.

The report, as amended, was agreed to. The bill was read the third time, and upon the question "Shall this bill now pass?" the yeas and nays were required to be recorded—at the call of Mr. Riley—and are: yeas 51, nays 32.

Those who voted in the affirmative are Messrs.

Adams,	Harris	Poole
Anderson,	Harrison,	R A Robinson
Armstrong,	Hardeman,	Rowell
Bostwick,	Hawkins,	W Smith
Calloway.	Hardison	Stapleton,
Clark	Hamilton,	Stephens
Benj. Cleveland,	Headen,	J. Stewart,
Clements,	Irwin,	Stokes
Crawford,	Jones,	Sweat
Crittenden,	Leverett,	Thornton,
Dawson	Linn,	Turner,
Eberhart	Mangham,	W.A. Walton,
Gartrell,	Mays	J. H. Walton,
Grant	McCurdy,	Walker.
Green	McGregor,	Whitworth
W P Harden	McMullin,	H. L. Williams,
Haynie	Phillips,	Young,

Those who voted in the negative are Messrs.

Alread,	McDougald,	Riley
Andrews,	McLean,	Rumph
Arnold	Nobley,	Shewmake,
Griffin	Nichols	W R Smith
Gross,	Paris	L S Stewart
Harrall,	Pickett,	S'rickland,
Hays,	Redding,	J. Taylor
Henderson	G. R. Reid,	West,
Keith	M. Reid,	A J Williams
Maxwell,	Reynolds	Williford,
Manor,	Richardson,	

So the bill passed.

On motion of Mr. Arnold, the House adjourned until half-past seven o'clock, P. M.

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HALF PAST SEVEN O'CLOCK, P. M.

The House met pursuant to adjournment.

The House took up the report on the bill to be entitled an act to authorize the Governor to draw his warrant on the Treasurer for the sum of one hundred and thirty-nine dollars, Poor School Fund for Irwin county.

On motion of Mr. Arnold, the bill was laid upon the table for the balance of the session.

The House took up the report of the committee on the bill to be entitled an act to extend the corporate limits of the town of Hamilton, in the county of Harris, and other places therein mentioned.

Mr. McDougald offered the following amendment, which was accepted :

*"And be it further enacted,* That the corporate limits of the town of Carrollton, in Carroll county be, and the same are hereby extended, so as to embrace all the territory within eight hundred yards of the court house, in the public square, in every direction, and that the law incorporating said town, and amendments thereto be, and the same are hereby, declared to be made applicable to the said corporation as extended, so far as they do not conflict with the provision of this act."

Mr. Thornton offered the following amendment, which was agreed to :

*"The corporate limits of said town of Hamilton, in Harris county, be so altered as to make the line, south of the court house, running east and west, include the residence of James M. Mobley: Provided,* the persons thus included by the alteration of said line, shall first give their consent in writing, to the Commissioners of said town, to be thus included within said corporate limits."

Mr. Paris offered the following amendment, which was agreed to :

*"And be it further enacted by the authority aforesaid,* That from and after the passage of this act, James M. Hall, Robert L. Hawkins, Horace Lindsay, William C. Sharrock, and Manoes Morgan be, and they are hereby appointed Commissioners of the town of Trenton, in the county of Dade, and that all the provisions of an act to make permanent the county site of the county of Dade at the town of Salem, and to incorporate said town, assented to December the 21st. 1839, and an act to alter and change the name of



Salem, the county site of Dade county, to that of Trenton, assented to December the 22d, 1840, not inconsistent with this act be, and the same are hereby declared to be in full force and effect : *Provided*, that said Commissioners shall continue in office until the first Saturday in January, 1855, and until their successors are elected and qualified thereafter.

*"And be it further enacted*, That the said Commissioners are hereby declared Commissioners of the roads and streets of said town, with authority to appoint overseers for the same : *"Provided*, the citizens of said town shall not be required to work the public roads without the incorporation of said town : *Provided*, no person living without the limits of said incorporation, shall be required to work on the roads or streets, within the incorporation of said town."

The report, as amended, was agreed to. The bill was read the third time and passed.

The House took up the report on the bill to be entitled an act to require guardians of free persons of color, to register their names, and for other purposes therein specified.

On motion of Mr. Haynie, the bill was laid on the table for the balance of the session.

The House took up the report on the bill to be entitled an act to alter and change the mode of appointing Trustees of Glynn county Academy, in the county of Glynn, and to compel their Treasurer to give bond and security for the faithful performance of his duty.

Mr. Gross offered to amend, by adding addition sections in relation to the Scriven County Academy, requiring certain acts by the Grand Jury in the election of Trustees, &c.; which was accepted.

The report, as amended, was agreed to. The bill was read the third time and passed.

Mr. Walton, from the Committee on Finance, made the following report :

The Finance Committee, to whom was referred the bill and memorial for the relief of John Huie, of Fayette county, made the following report thereon :

Your committee find from an examination of the books and papers of the Central Bank, that on the 13th of July, 1840, the memorialist, with divers other persons, endorsed three notes, one for \$800, made by J. Q. A. Alford, and endorsed John Huie and Albert J. Alexander ; one for \$500, made by Alfred M. Watts, and endorsed Larkin Landrum and John Huie ; and one for \$500, made by Allen Alford, and endorsed J. Q. A. Alford, Richard Phillips and John Huie, which notes were severally discounted at the Central Bank, for one hundred dollars ; that in August, 1842, said Huie was sued, separately, upon said notes, and in March, 1843, judgments were obtained against him, which were

subsequently returned as insolvent, by Gibson Clark, Esq., the attorney of the bank; that said notes were then sued against the other parties, by said attorney, to whom it appears that two of them were paid in the years 1845 and 1846; that said attorney paid over the nett proceeds of one of them to the bank, on the 8th of January, 1846; that in August, 1850, the Director of the Central Bank finding the executions issued on the defendants first obtained against the said Huie, apparently open and unsatisfied, sent them for collection, to R. M. Stell, Esq., who had them levied upon the property of said Huie, in Fayette county, and by the sales thereof, they were satisfied; and on the 16th of October, 1850, the bank received the nett proceeds from Mr. Stell.

Your committee are satisfied that the note against J. Q. A. Alford, was twice paid to the bank; that the note against Alfred M. Watts, was paid to the bank's attorney in 1845, and again in 1850, to the bank, through the sales of the property belonging to the memorialist, but it does not satisfactorily appear that the note against Allen Alford was ever twice collected. Your committee are also satisfied that the memorialist was very seriously damaged by the aforesaid sale, but the evidence furnished being too meagre to enable them to agree upon a definite sum, the committee recommend that the sum of four hundred and eighty-eight dollars and thirty-seven cents only, be allowed, that being the principal, interest and expenses, due on the two judgments wrongtully levied upon the property of the memorialist as aforesaid and that the claim for damages, as well as for the amount due on the Allen Alford note, be disallowed for the present.

Your committee, therefore, report the accompanying substitute for the bill.

Mr. Walton, of Richmond, reported the following substitute in lieu of the original bill, to be entitled an act for the relief of John Huie, to wit:

A bill to be entitled an act for the relief of John Huie of the county of Fayette.

On motion of Mr. Latham, the report was taken up and agreed to. The bill was read the third time and passed.

The House took up the report on the bill to be entitled an act to restrict and limit physicians, and other practitioners of medicine, in their charges for mileage.

On motion of Mr. McCurdy, the bill was laid on the table for the balance of the session.

The House took up the report on the bill to be entitled an act authorize John Thompson to build a mill dam on the Chattahoochee River.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee, on the

bill to be entitled an act to authorize the Justices of the Inferior Court of Heard county, to levy an extra tax to be called a jury tax.

Mr. McCurdy offered the following amendment, which was adopted :

*"And be it further enacted by the authority aforesaid, That the Justices of the Inferior Court of the county of Whitefield be, and they are hereby authorized and allowed to levy and collect an extra tax not exceeding one hundred per cent upon the State tax, for the purpose of paying the present county debt of said county."*

The report, as amended, was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to incorporate the Bushy Head Shoals Bridge Company, in the county of Heard, and for other purposes therein specified.

Mr. Clark offered the following amendment, which was agreed to, to wit :

*"And be it further enacted, That Solomon Jennings, Jr., J. D. Slaton of the county of Oglethorpe, Henry P. Mattox, John H. Jonas and Richard Fortson of the county of Elbert, William F. Eberhart and Asa Deadwyler of the county of Madison be, and they are hereby appointed in the place of the individuals designated in the 7th Section of an act, to keep open the channel of Broad River, and remove and prevent the obstructions to the free passage of boats in the same, and for other purposes, approved December the 28th, 1847, with the same powers conferred on said individuals by the provisions of said recited act."*

The report, as amended, was agreed to. The bill was read the third time and passed.

The House took up the report of the committee, on the bill to be entitled an act to incorporate the Columbus Gas Light Company, and to change the name of the Ladies Benevolent Society, of the city of Columbus.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to permit all persons in this State to establish ferries and erect or build bridges on all water courses therein, on their own land, and to charge and collect toll from all persons, vehicles and stock, crossing the same, and for other purposes therein named.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act for the relief of William Cline, of the county of Walton, and for other purposes.

On motion of Mr. Haynie, the bill was laid upon the table for the balance of the session.

The House took up the report of the committee, on the bill to be entitled an act to incorporate the Fort Gaines Rail Road Company, and for other purposes therein mentioned.

Mr. Redding offered to amend, by making the company liable for injury done to passengers and stock, and throwing the burthen of proof upon the said company. &c.; which was accepted.

The report, as amended, was agreed to. The bill was read the third time and passed.

The House took up the report of the committee, on the bill to be entitled an act to change the line between the counties of Jackson and Gwinnett, so as to include the residence of Edmund Elden, in the county of Jackson.

Mr. Arnold offered the following amendment, which was agreed to :

*"And be it further enacted,* That the county line between Henry and Butts, be so changed as to include the residence of William S. Bivins, in the county of Henry.

Mr. Andrews offered the following amendment, which was agreed to :

*"And be it further enacted by the authority aforesaid,* That the line between Butts and Spaulding, be so changed as to include the lands and residence of Reason Blesset in the county of Spaulding."

The report, as amended, was agreed to. The bill was read the third time and passed.

The House took up the report on the bill to be entitled an act to amend an act entitled an act to prescribe the mode of laying out private ways, and for other purposes, approved January 17th, 1852, and for other purposes, so far as to authorize and require Sheriffs and their Deputies, to superintend the opening laying out of private ways.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the bill to be entitled an act to convert the Western & Atlantic Rail Road into a Joint Stock Company ; to grant banking privileges to said company, and for other purposes therein mentioned.

Mr. Reid, of Irwin, moved to lay the bill on the table for the balance of the session.

Mr. Reid, of Irwin, called for the previous question which call was sustained, and the main question was ordered to be put.

Upon which question, the yeas and nays were required to be recorded, at the call of Mr. McDougald, and are yeas 45, nays 32.

Those who voted in the affirmative are, Messrs.

Alread,	Hardison,	Phillips
Andrews	Hamilton	Poole,
Benj. Cleveland,	Headen	Redding,
Clements,	Henderson,	G. R. Reid
Crittenden	Jones,	M. Reid,
Fields.	Keith,	Rumph,
Fish	Latham	W R Smith,
Gartrell,	Leverett	Stephens,
Green	Linn	L S Stewart,
Griffin	Manor,	Strickland,
Hayne,	Mays	Sweat,
Harris,	McGregor,	Whitworth.
Harrall,	McLean,	H. L. Williams,
Hatton,	Moughon	Williamson,
Hays,	Paris,	Young.

Those who voted in the negative are, Messrs.

Adams,	Mangham,	R. A. Robinson,
Anderson,	Martin	Shewmake,
Calloway,	Maxwell,	J. Stewart
Cameron	McCurdy,	Stokes
Clark,	McDougald,	Thornton,
W. C. Cleveland,	McMullin,	Turner
Dawson	Mobley	W A Walton
Gross,	Nichols	Walker,
W P Harden	Pickett,	West.
Hendrick	Reynolds	A J Williams
Irwin,	Riley	

So the motion prevailed.

The House took up the report on the bill to be entitled an act to facilitate the collection of executions issued by the Mayor and Council of the city of Columbus, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the bill to be entitled an act to alter and amend the claim laws now of force in this State, concerning the withdrawal of claims, and the making of parties in claim cases.

The report was agreed to; and on motion of Mr. Latham, the bill was laid on the table for the balance of the session.

The House took up the report on the bill to be entitled an act for the benefit of free persons of color, subject to taxation.

Mr. Haynic moved to lay the same on the table for the balance of the session; which motion was lost,

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to alter and amend the laws now of force in this State, concerning the making of parties to suits, and for other purposes.

The report was agreed to. The bill was read the third time and lost.

The House took up the report of the committee on the bill to be entitled an act to repeal an act entitled an act to compel parties plaintiffs in the several courts of this State, when the plea of usury is filed, to discover on oath the truth or falsehood of the facts stated in such plea, or to allow the defendant, in case of refusal by the plaintiffs, to establish the facts contained in such plea, by his own oath, without a Bill of Discovery, assented to December 28th, 1842.

The report was disagreed to. The bill was read the third time and lost.

The House took up the report on the bill to be entitled an act to create and lay off a new Judicial Circuit out of certain counties therein named, to be called the Muscogee Circuit and to add the same to the second Supreme Court District, and for other purposes.

On motion of Mr. McDougald the bill was laid on the table for the balance of the session.

The House took up the report on the bill to be entitled an act to alter and change the name of John Andrews Turner to that of John Andrews Barclay.

The report was agreed to. The bill was read the third time and passed.

The House went into Committee of the Whole—Mr. Arnold in the chair—on the bill to be entitled an act to appropriate a sum of money as a contingent fund; and after some time spent therein, the committee rose and reported the bill back to the House without amendment.

The report was agreed to. The bill was read the third time, and upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded, and are: yeas 33, nays 41.

Those who voted in the affirmative are, Messrs.

Adams,	Crittenden	Headen,
Andrews	Green	Hendrick
Arnold	J. Harden,	Irwin,
Armstrong,	Haynic	Jones
Clements	Hardison,	Latham

Linn	Phillips,	Strickland,
Mangham	Pickett.	J. Taylor,
Mays	Poole,	West,
McCurdy,	G R Reid	H L Williams
McDougald,	R A Robinson	Young,
McGregor,	W. R. Smith,	
Moughon	J. Stewart,	

Those who voted in the negative are, Messrs.

Alread,	Hatton,	Richardson,
Bostwick,	Hamilton,	Riley
Cameron	Henderson,	Rumph,
Clark,	Keith,	Shewmake,
Benj. Cleveland,	Maxwell,	Stephens,
W. C. Cleveland,	Manor,	L S Stewart
Dawson,	McLean,	Thornton
Fields,	McMullin,	J. H. Walton,
Gartrell,	Mobley	Walker,
Griffin,	Nichols	Whitworth,
Gross,	Paris	A J Williams
W. P Harden,	Redding,	Williamson,
Harris,	M. Reid,	Yopp.
Harrall	Reynolds,	

So the bill was lost.

The House took up the report on the bill to be entitled an act to authorize and require the Judges of the Superior Courts in this State to bail or discharge defendants in criminal cases, under certain circumstances herein specified, and for other purposes therein mentioned.

The report was disagreed to; the bill was read the third time and lost.

On motion of Mr. Reynolds the House took up the report on the reconsidered bill to be entitled an act to change the line between the counties of Newton and Walton.

The report was disagreed to; the bill was read the third time and lost.

The House took up the report of the Judiciary committee on the bill to be entitled an act to change and simplify the Practice and Pleadings in the counties of this State, and for other purposes therein named.

The report was agreed to, and the bill was read the third time and passed.

On motion, leave of absence was granted Mr. Reynolds on account of the illness of his family.

The House took up the report on the reconsidered

bill to be entitled an act to amend the insolvent laws of this State.

The report was agreed to. The bill was read the third time and passed.

The House then proceeded to reading Senate bills the second time, and the following bills were taken up, read a second time and committed for a third reading.

A bill to be entitled an act to secure a preference to persons in possession, in application for grants under the laws pertaining to head rights.

A bill to be entitled an act to authorize the Judges of the Supreme Courts as Chancellors to make certain orders and decrees.

A bill to be entitled an act for the relief of Morgan Norris, of the county of Warren.

A bill to be entitled an act to incorporate a Bank in the city of Griffin to be called the Interior Bank of the State of Georgia.

A bill to be entitled an act to build and construct a railroad from the city of Dalton in Whitfield county, to some fit and eligible point on the Alabama line, over the most practicable route from Dalton to Gadsden on the Coosa river.

A bill to be entitled an act to incorporate the town of Vienna in the county of Dooly and to appoint commissioners for the same.

A bill to be entitled an act to extend the Charter of the Mechanicis Bank, and to alter and amend the act incorporating the same.

A bill to be entitled an act to regulate the Pilotage of the Port of Darien, point out the mode of electing commissioners, and establish the fees of Pilots and for other purposes herein mentioned.

A bill to be entitled an act to incorporate Bellville Factory.

A bill to be entitled an act to extend the provisions of the acts relating to Lunacy and Idiocy, to the case of persons incompetent to conduct their own business for other causes

A bill to be entitled an act to amend the Judiciary act of 1799, so far as to perfect service in actions of ejectment for the recovery of land and mesne profits, and to amend an act entitled complaints for the recovery of real estates and for mesne profits.

A bill to be entitled an act to amend an act entitled an act to authorize the incorporation of Joint Stock Companies for the construction of Macademized, graded and plank roads, passed 23d February 1850.

A bill to be entitled an act to incorporate the German Fire Company of Savanuah.



A bill to be entitled an act to charter the Savannah and Branchville railroad,

A bill to be entitled an act to amend an act to incorporate the city of Griffin, assented to December 28th 1843, and to repeal an act to alter and amend the several acts incorporating the City of Griffin, assented to February 21st, 1850.

A bill to be entitled an act to amend an act entitled an act to incorporate the city of Oglethorpe and to alter and amend an act to incorporate the town of Oglethorpe, in the county of Macon, approved January 22d, 1852.

A bill to be entitled an act relating to commissioners of Pilotage, for the Savannah river, passed in 1847

A bill to be entitled an act to amend the act of the 4th December, 1799, in relation to the damages sustained by the laying out of public bonds in this State, and for other purposes, so far as relates to the county of Floyd.

A bill to be entitled an act to incorporate the sub-marine Telegraph Company.

A bill to be entitled an act to incorporate the Ophans Home, of the Protestant Episcopal Church, in Chatham county.

A bill to be entitled an act to change the name of the Baptist Female Seminary, located at Perry, Houston county, Georgia, to that of Houston Female College, and to incorporate the same, and confer certain privileges upon the board of Directors therein named.

A bill to be entitled an act to add certain lots of land therein named to the county of Sumter.

A bill to be entitled an act to charter the Charleston and Savannah rail road, and to authorize suits against the same and certain other rail road Companies therein specified.

A bill to be entitled an act to alter an act more effectually to prevent frauds in elections in this State and to detect and punish the same, approved the 27th January, 1852, so far as relates to the oath to be taken by the Superintendents of elections.

A bill to be entitled an act to alter and amend the 3d section of the 3d article of the Constitution of the State of Georgia.

A bill to be entitled an act to repeal an act entitled an act for the relief of a portion of the citizens of Wayne county, approved 22d day of December 1847.

A bill to be entitled an act to authorize the building, opening and constructing a railroad from some point on the road that may be erected by the Blue Ridge rail road company between the town of Clayton in Rabun county, and the North Carolina line through the county of Rabun and Union to the Tennessee or North Carolina line in the direction of the cop-

per mines in Polk county Tennessee, at Ducktown, and to grant corporate powers and privileges to the same.

A bill to be entitled an act to add lots numbers 85 and 86 in the 7th district of originally Baldwin now Jones county, to the county of Bibb—also to change the line between the counties of Franklin and Hart, and to change the residence of certain persons therein mentioned.

A bill to be entitled an act to compensate Petit Jurors in the county of Heard and provide a fund for the same.

A bill to be entitled an act to amend an act, passed on the 26th day of December 1837, entitled an act to regulate the mode of partitioning lands and tenements, in certain cases in the State of Georgia.

A bill to be entitled an act to require the receivers of Tax returns in the several counties of this State to ascertain the number of children, in their respective counties, between the ages of eight and sixteen years, and for other purposes therein named.

A bill to be entitled an act in addition to and amendatory of the several attachment acts. now of force in this State.

A bill to be entitled an act, requiring testamentary trustees to make annual returns.

A bill to be entitled an act to authorize the trustees of the Bibb county academy to sell or lease the lots of ground and buildings, belonging to said trustees, now occupied as a male Academy.

A bill to be entitled an act to amend and declare the intent and meaning of an act, passed during the present session of the General Assembly, entitled an act to lay out and organize a new county from the counties of Franklin and Elbert, and to provide for the organization of the same, to provide for the compensation of the Grand and Petit Jurors, at the next ensuing terms of the Superior and Inferior Courts of the counties of Elbert and Franklin, and to to authorize executors and administrators and guardians, residing in the county of Dougherty, who make their returns to the Ordinary of the county of Baker, or of whom said Ordinary has jurisdiction, to make the returns and transact their business, in relation to the several estates they represent, with the Ordinary of Dougherty county.

A bill to be entitled an act to punish white persons, for selling or furnishing Indians with any spirituous or intoxicating liquors, &c.

A bill to be entitled an act to compensate the Grand Jurors of the county of Lumpkin.

A bill to be entitled an act to amend an act incorporating the town of Calhoun in Gordon county, approved January 12th, 1852, and to extend the corporate limits of the city of Augusta.

A bill to be entitled an act to reduce the Sheriff's bonds of this State so far as concerns the county of Effingham.

A bill to be entitled an act to incorporate a company under the name and style of the Savannah, Rabun Gap & Dahlonega rail road company.

A bill to be entitled an act to alter and change the county line, between the counties of Tattnall and Liberty, so as to change the residence of Everett M G Stubbs, a citizen of Liberty county, to the county of Tattnall.

A bill to be entitled an act to incorporate the "Marietta Guards," and to grant certain immunities and privileges to the members of the same.

A bill to be entitled an act to amend the several acts incorporating the town of Greensborough, to extend the corporate limits of said town; give the power to grant licenses to retail spirituous liquors within the corporate limits of said town and regulate the same, and for other purposes therein mentioned.

On motion of Mr. Mobley, the House adjourned until half-past nine o'clock to-morrow morning.

## TUESDAY, FEBRUARY 14th, 1854.

The House met pursuant to adjournment.

Mr. Irwin moved to reconsider so much of the Journals of yesterday, as relates to the rejection of the Bill to be entitled an Act for the relief of P. L. J. May.

Which motion was agreed to.

The following message was received from the Senate by Mr. Dixon, their secretary *pro tem*.

Mr. Speaker—The Senate has passed the following bills of the House of Representatives, to wit:

A Bill amendatory of an Act to authorize the Governor to appoint fit and proper persons, to sell and dispose of the undrawn lots in land lotteries, heretofore had in this State, and to limit the time for fraction purchasers to pay for and take out grants for fractions, approved Dec. 30th, 1847. Also,

A bill to incorporate a company in the county of Columbia, to be called the "Columbia Mining Company," and to grant them certain privileges. Also,

A Bill amendatory of certain Acts therein referred to. Also,

A Bill to authorize Justices of the Inferior court to hold to bail, in cases arising *ex delicto*. Also,

A Bill to repeal the 3d Section of an Act, to extend the corporate limits of the town of Eatonton; to regulate licenses

therein, and to change the time of electing Commissioners, approved, 22d Jan., 1852, to amend an Act, incorporating the town of Cassville, in the county of Cass, passed 22d Dec., 1843, and to extend the corporate limits of the town of Thomasville. Also,

A Bill to amend the several laws now in force in relation to free persons of color, and to exonerate and discharge certain free persons of color from all pains, penalties and forfeiture, heretofore incurred, and to which they are liable. Also,

A Bill to incorporate the town of Buena Vista, Marion county, Georgia. Also,

A Bill for the relief of William Crowell and William C. Rousseau, of DeKalb county.

The Senate has also passed the following bills of the House, with amendments, in which they ask the concurrence of the House of Representatives, to wit:

A bill to incorporate certain Churches, Camp grounds, Academies, Seminaries and Masonic Lodges. Also,

A bill to incorporate a Bank in the town of Fort Gaines, to be called the "South-Western Bank of Georgia," and to authorize the establishment of branches. Also,

A bill to authorize Christian Rauchenberg of the county of Whitfield, Thomas F. Bruster, of the county of Cherokee, Charles Henry Audas, of the county of Hancock, and Dr. O. Proffit, of the county of Jasper, to practice Medicine and Surgery, and to charge and collect compensation for the same. Also,

A bill more effectually to prevent trading with slaves and furnishing them with intoxicating liquors. Also,

A bill to amend an act to incorporate the Ogeechee Plank Road Company and for other purposes. Also,

A bill to compel parties plaintiffs in Justices courts to pay cost before taking out a *cupias ad satisfaciendum*. Also,

A bill to incorporate the Columbus & Hamilton Rail Road Company. Also,

A bill to add an additional section to the 13th Division of the Penal Code, and to provide for the punishment of free white persons, for aiding negroes or free persons of color, lawfully committed or detained in any jail, to escape therefrom. Also,

A bill to amend the 2d Section of an act to repeal the 48th Section of the 14th Division of the Penal Code, in so far as relates to capital cases, and to add a new section in lieu thereof, assented to December 23d, 1843.—Also,

A bill to define the liabilities of the several Rail Road Companies of this State, for injury to and destruction of life stock, killed or injured; for destruction of, or injury, or damage to property, other than live stock, by the running of cars.

engines or locomotives, or by the operation or use of any machinery upon a Rail Road, in this State, or damage done by the agents of said companies ; to regulate the mode of proceeding, and to define the costs in such cases.

The Senate has also agreed to a resolution.

Requesting the Governor to furnish each branch of the General Assembly with the original cast of the public buildings in Milledgeville, exclusive of the Penitentiary and Lunatic Asylum, and the amount necessary to put them in proper repair, in which they asks the concurrence of the House of Representatives.

Mr. McDougald moved to reconsider so much of the Journals of yesterday, as relates to the rejection of the bill to be entitled an act, to alter the times of holding the Superior Courts of Worth county, and for other purposes.

The following communication was received from his Excellency the Governor, through Mr. Briscoe, his Secretary : which was taken up and read as follows :

EXECUTIVE DEPARTMENT,                    }  
MILLEDGEVILLE, GEO., February 14th, 1854. }

*To the House of Representatives :*

I feel it incumbent upon me, to invite your special attention to the condition and absolute wants of the Penitentiary.

The roof of the cell buildings is in a decayed state, and in wet weather leaks badly, thus destroying the comfort and endangering the health of the prisoners. Besides this, the work shops require new covering.

The Institution is almost entirely destitute of material for work, and without means of providing a supply of provisions for the support of its inmates. It will require an appropriation of at least \$5,000, to furnish necessary materials and provisions.

The Penitentiary owes upwards of \$17 000. It has assets which may be made immediately available, to the amount of something over \$3,500, leaving a balance outstanding of more than \$13,000. It is highly important that an appropriation be made, sufficient to pay off this indebtedness. Of the balance of the assets, it is believed that a considerable portion may ultimately be made available. But it should be appropriated gradually, as fast as collected, to the necessary repair of the buildings, connected with the Institution.

Humanity requires that the prisoners should be well fed, clothed and housed, This is a paramount duty, which the State owes to this unfortunate class of men. I trust, no contracted view of economy will lead to its neglect.

With regard to the indebtedness of the Institution, the claims of its creditors appeal strongly to your sense of jus-

tice. They are debts, many of them of two or three years standing. Creditors have been patient. They have not even asked interest. The State has enjoyed the consideration, on which the debts are founded. If anything could add to the obligation of the State to pay, it is the reflection, that according to law, the Penitentiary cannot be sued.— Hence by postponing creditors, you refuse to pay honest debts, when they have no redress, no means of enforcing their demands. The subject is thus brought distinctly to your notice; and I respectfully submit, that these reflections ought to prompt the Legislature, to make the necessary appropriations. Without it the Institution will be crippled, cannot be successfully managed, and must, for the future, bring only increased expenditures, to be met by the State.— It is an important branch of the public service, and so long as crime exists must claim the attention of every enlightened Legislator.

The fact that the Institution has not heretofore yielded a revenue, but has been a source of annual expense to the State, seems to produce on the minds of many the impression, that it is the result of bad management. This, however, is not necessarily true. It may have been managed badly, but it is true that under the most favorable management it will not, cannot yield a profit. It never has done it, and in the face of all past experience, it is not to be expected. If it could be placed out of debt, well furnished with all needful supplies, and put in good repair, it may, by prudent management, pay its own expenses. This is probably the best that ought to be expected.

A moments reflection will satisfy every practical man, that it is impossible for it, to pay a profit to the State. The amount of its salaries, though trifling in detail, is large in the aggregate. The average term of the prisoners is about three and one half or four years, which is about the shortest period, within which, an intelligent man, under the stimulus of interest, can acquire a mechanical trade. Hence you see at once that it is only an apprentice system at best, and that just about the time a prisoner learns a trade, so as to work profitably, his time expires. Hence, also, during this season of apprenticeship, the convicts are not only not profitable, but actually wasting large quantities of costly material. How then can it be expected, to realize a profit from the earnings of the Institution? It is vain and futile. It ought never to have been promised by anybody, and then perhaps, nobody would have expected it, and nobody have been disappointed. Indeed the State proceeds upon no such idea—she certainly should not. She does not desire to speculate upon the crime of the country. She designs to punish it, and that the offenders, as far as may be, should pay the expense, incurred by the operation. They fall a little below it, but the

deficit is comparatively so small, that the real expence of the State should be rather a matter of congratulation than of complaint. At all events, the institution belongs to the State and the necessity is imperative, that her representatives must, by wise and liberal legislation, place it on the best possible footing.

Its debts are just debts. and common honesty requires them to be paid. Its prisoners are your bondsmen for the time and humanity requires you to provide for their wants and their comfort. I respectfully and urgently recommend you, to come up to the full measure of obligation upon this important subject, before you adjourn.

HERSCHEL V. JOHNSON.

Mr. McCurdy moved to reconsider so much of the Journals of yesterday, as relates to the rejection of the bill to be entitled an act to appropriate money for the payment of the debts of the Penitentiary, contracted prior to the 1st of January, 1854, and for other purposes.

Upon which motion the yeas and nays were required to be recorded, at the call of Mr. Alread, and are : yeas 51, nays 37.

Those who voted in the affirmative are Messrs.

Adams	Hendrick	Redding
Calloway.	Jones	M. Reid
W C. Cleveland,	Latham	R A Robinson
Crawford,	Leverett,	Rowell
Crittenden	Linn	J. C. Smith,
Eberhart,	Mangham	L S Stewart
Fields,	Mays,	J. Stewart,
Gartrell	McComb	Stokes,
Green	McCurdy	J Taylor
W P Harden	McDonald,	D. W Taylor.
Haynie	McMullin,	Turner
Harrall,	Moughon	W A. Walton,
Hays	Paris,	Walker,
Hawkins,	Phillips	H L Williams
Hardison,	Poole,	Wilson,
Hamilton	Powell	Young,
Headen	Powers	

Those who voted in the negative are Messrs.

Alread	Brown	Dawson,
Anderson,	Cameron	Fish,
Arnold	Clark.	Gross
Armstrong,	Benj. Cleveland	Harris
Bostwick,	Cody,	Hardeman

Henderson	Mobley	J H Walton,
Hudson,	G. R. Reid,	West
Irwin	Reynolds	Whitworth,
Martin	Richardson	Williamson,
Maxwell,	Riley,	Williford
Manor	W R. Smith,	Woodward,
McDougald	Stapleton,	
McLean,	Thornton,	

So the motion was agreed to.

On motion of Mr. Reynolds the House took up the report on the Senate bill to be entitled an act to incorporate the city of Covington, in the county of Newton, to extend the corporate limits thereof, and for other purposes herein mentioned.

The report was agreed to. The bill was read the third time and passed.

The House took up the Senate amendments to the bill, to be entitled an act for the protection in certain cases of Planters and Cotton Sellers, within the State of Georgia, and concurred in the same.

The House took up the Senate amendments to the bill to be entitled an act to authorize teachers and poor children in the counties of Warren, Chattooga, McIntosh and Irwin, to furnish books and stationery to such children and to provide for the payment of the same, and concurred in the same.

The House took up the Senate amendments to the bill to be entitled an act to lay out and form a new county, from parts of the counties of Early and Randolph, and to organize the same and to attach the same to the Second Congressional District, and to the South Western Judicial Circuit, and concurred in the same.

On motion of Mr. McDougald the Clerk was directed to inform the Senate that the House of Representatives were ready to receive them in their Hall, to proceed to the election of State Printer.

Which duty being performed, the President and members of the Senate attended and proceeded to said election. And upon receiving and examining the ballots, it appeared that Messrs. Boughton, Nisbet, & Barnes had received a majority of the polls given in, and was therefore declared duly elected State Printer, for the year 1855 and 1856.

The Senate then withdrew to their Chamber and the House took up the amendments of the Senate bill to be entitled an act to amend an act, entitled an act to incorporate the town of Marietta, in the county of Cobb, and also to enlarge the boundary of said town and incorporate the same, and for other purposes therein specified. approved January 22d, 1852, so as to give the election of Marshal of the city of Marietta to the people, to authorize their removal from office.



in certain cases therein named, and in those cases make them ineligible to re-election, and concurred therein.

The House took up the Senate amendments to the bill to be entitled an act to incorporate a Bank in the city of Savannah, to be called the Mechanics and Traders Bank, and concurred in the same.

The House took up the Senate amendments to the bill to be entitled an act to compensate Grand and Petit Jurors of the county of Clarke, and concurred in the same.

The House took up the report on the Senate amendment to the bill to be entitled an act to incorporate the Columbus & Hamilton Rail Road Company, and refused to concur in the same ; and the Clerk was directed to transmit the bill back to the Senate.

The House took up the Senate amendments to the bill to be entitled an act to carry into effect an act entitled an act, respecting bastardy and other immoralities, approved December 16th, 1793. and for other purposes, and concurred in the same.

The House took up Senate amendments to the bill to be entitled an act to refund certain monies to the county of Cobb, and concurred in the second amendment—disagreeing to the first amendment.

The House took up the Senate amendments to the bill to be entitled an act to alter and amend and explain Section 4th, of an act entitled for the prevention of frauds and perjuries, and concurred in the same.

The House took up the Senate amendments to the bill to be entitled an act to compel parties, plaintiffs in Justices Courts, to pay the cost before taking out a *copias ad satisfaciendum*, and concurred in the same.

The House took up the Senate amendment to the bill to be entitled an act to authorize Christian Rauchenburg, of Whitfield, Tomlinson F Bruster, of Cherokee, Charles H. Audas, of Hancock, O. Proffitt of Jasper counties, to practise Medicine and Surgery, and charge for the same, and concurred therein.

The House took up the Senate amendments to the bill to be entitled an act to define the liabilities of the several Rail Road Companies of this State, for injury to, and destruction of life stock, killed or injured, for destruction of, or injury or damage to property, other than life stock, by the running of cars, engines, locomotives, or by the operation or use of any machinery whatsoever, upon a Rail Road in this State, &c., &c., and concurred therein, with the exception of the amendment in reference to the place and manner, in which the action for damage shall be brought.

The House took up and concurred in the amendments of the Senate bill to be entitled an act to amend the 2d Section of an act entitled an act to repeal the 48th Section 14th Di-

vision of the Penal Code, in so far as relates to capital cases, and add a new section in lieu thereof, assented to December 27th. 1843.

The House took up the Senate amendments to the bill to be entitled an act more effectually to prevent trading with Slaves, and furnishing them with intoxicating liquors, and concurred in the same.

The House took up the Senate amendments to the bill to be entitled an act to incorporate Churches, Camp Grounds, Academies, Seminaries, &c., Masonic Lodges herein named, and for other purposes.

The House took up the Senate amendments to the bill to be entitled an act to incorporate a Bank in the town of Fort Gaines, to be called the South Western Bank of Georgia, and for other purposes, and concurred in the same.

The House took up the Senate amendments to the bill to be entitled an act to amend an act entitled an act, to incorporate the Ogeechee Plank Road Company, and for other purposes, &c. and concurred in the same.

The House took up, and concurred in the amendments of the Senate to the bill to be entitled an act to add additional sections to the 13th Division of the Penal Code of the State of Georgia, and to provide for the punishment of free white persons, for aiding or assisting negroes or free persons of color, lawfully committed or detained in any jail, to escape therefrom, and for other purposes.

On motion of Mr. McDougald, the House took up the reconsidered bill to be entitled an act for the relief of P. L. J. May, of the county of Macon, and the same was passed.

On motion of Mr. Mobley, the House took up the reconsidered bill to be entitled an act to require his Excellency the Governor, to draw his warrant on the Treasurer in favor of the Ordinary of Sumter county, for a certain sum of money for the purpose therein mentioned; and the same was passed.

On motion of Mr. McDougald, the House took up the reconsidered bill to be entitled an act to alter the time of holding the Superior Courts of Worth, and other counties therein named.

Mr. McDougald offered the following amendment, which was agreed to :

*“And be it further enacted, That from and after the passage of this act, the Superior Court of the county of Muscogee, shall be held on the fourth Monday in June, and December, in each and every year, and that all writs, processes, subpoenas, recognisances, returnable to said courts as heretofore prescribed by law, shall be returnable to the term of said court as altered and changed in this Act; any law, usage or custom to the contrary notwithstanding.”*

Mr. Stewart of Taylor, offered the following amendment, which was agreed to :

*"And be it further enacted,* That from and after the passage of this act, the time of holding the Superior Court in the county of Taylor, is hereby changed from the third Monday in May and November, to the first Monday in April and October, in each and every year ; and that the time of holding the Inferior Court of said county of Taylor, be changed from the second Monday in February and August, to the second Monday in January and July, in each and every year.

*"And be it further enacted,* That all persons summoned, subpoenaed or bound as suitors, witnesses, jurors, or in any other capacity, to attend said Superior and Inferior Courts at the time, which, by the laws now in force, they are holden, shall be bound by said bond, summons, subpoena, or other process heretofore issued, to attend said courts, at the time specified in this act."

The report, as amended, was agreed to. The bill was read the third time passed.

On motion of Mr. McDougald, the House took up the substitute to the bill to be entitled an act to compensate and reimburse expenditures, to Messrs. Josephus Echols and John H. Howard, for services rendered in the disputed boundary between the States of Georgia and Alabama.

The substitute, as amended, was adopted ; the report was agreed to, and upon the question "Shall this bill now pass?" the yeas and were required to be recorded, and are : yeas 61, nays 20.

Those who voted in the affirmative are Messrs.

Adams,	Irwin	Richardson.
Andrews	Latham.	R A Robinson
Brown	Manor	Rowell
Calloway,	McComb	Rucker
Cameron	McCurdy,	Rumph,
Clark,	McDonald,	W Smith,
Cody,	McDougald,	Stapleton
Crittenden	McGregor	L. S. Stewart,
Dawson	McMullin	J. Stewart,
Eberhart,	Mobley,	Stokes,
Gartrell,	Moughon	Strickland,
Green	Paris,	Sweat,
Griffin,	Phillips,	J. Taylor,
W. P. Harden,	Pickett	D. W Taylor
Haynie	Poole	Thornton
Hardeman,	Powell	Turner,
Hays	Redding,	W A. Walton,
Hawkins,	G. R. Reid,	Walker
Hardison	M. Reid,	A. J. Williams

H. L. Williams,	Wilson,	Young.
Williamson,	Woodward,	

Those who voted in the negative are Messrs

Alread,	Headen,	Nichols,
Arnold,	Henderson	Powers.
Benj. Cleveland,	Hudson,	Reynolds
Crawford,	Keith,	Riley,
Fields,	Linn,	W. R. Smith,
Fish,	Mangham	Whitworth,
Harris,	McLean	

So the bill passed.

The following message was received from His Excellency the Governor, through Mr. DeGraffenreid, his Secretary:

*Mr, Speaker*—The Governor has approved and signed the following acts, which have been deposited in the office of Secretary of State:

An act to alter and amend the act to incorporate the Coosa and Chattooga River Rail Road Company, and also to provide for the settling of controversies as to the right of way, when there are estates in remainder, as to said Company, and all other Rail Road Companies of this State.

An act for the relief of Needham Smith, of Houston county.

An act to compensate Grand and Petit Jurors of the counties of Washington, Lincoln, Scriven, and Gordon, and Hall.

An act to incorporate the Cherokee Wesleyan Institute, located at Cave Spring, and for other purposes herein named.

An act to incorporate the Dalton and Copper Mines Turnpike, Plank and Rail Road Company, and to allow the Company to build a Turnpike, Plank or Rail Road.

An act to change the line between the counties of Cass and Gordon, so as to include the residence of Jesse Waddle, John Freeman, J. D. Lewis, H. D. Freeman, within the boundary of the county of Gordon, and to add lot of land number 21, in the 15th District and 3d Section to the county of Gordon, and for other purposes therein mentioned: also, to change the residences of certain persons to certain other counties therein mentioned.

A act to authorize Jacob A. H. Reviere, receiver of tax returns of the county of Warren, to appoint an assistant receiver.

An act to legitimize Matilda Officer, the wife of Thomas M. Officer, and for other purposes therein mentioned.

An act to change the names of Rebecca Gertrude Garland, John Darius Garland, and James William Garland, to the names of Rebecca Gertrude Herringdine, John Darius Herringdine, and James William Herringdine, and legitimize the same.

An act to repeal an act to alter and amend an act relating to the Court of Common Pleas, and of Oyer and Terminer of the city of Savannah, so far as relates to the fees of the Clerk of said Court.

An act to attach a portion of Crawford county, to the county of Taylor, and to change the line between Polk and Paulding.

An act to make John P. Cain, heir at law of John Cain.

An act to authorize his Excellency the Governor, to draw his warrant on the treasurer in favor of Drewry W. Taylor of the county of Houston, for twenty-two dollars and ninety-six cents, for monies advanced by him to pay for advertising lands and for commissioners for selling the same, under the provisions of an act approved December 30th, 1847; also, to authorize his Excellency the Governor, to draw his warrant on the treasurer, in favor of James P. Ellis, Tax Collector of the county of Stewart, for the year 1851, for forty-seven dollars and twenty-six cents.

An act to appropriate money to pay Francis Revier, and others, for expenses incurred by them in pursuing and apprehending certain robbers therein mentioned.

An act to incorporate a company to be called the Savannah, Griffin and North Alabama Rail Road Company, with power to build a Rail Road from the city of Griffin by Newnan, in Coweta county, and Carrollton, in Carroll county, to the Alabama State line, at any point in Carroll county.

An act to alter and change the name of Roscoe Tallulah Clay Niles, to that of Roscoe Clay Wallace: also, to alter and change the name of Jennette Millar Barrow Niles, to that of Jennette Barrow Wallace; also, to alter and change the name of Ophelia Celestia Wood, to that of Ophelia Celestia Bilbro, and to legitimize said Ophelia Celestia Bilbro, and for other purposes therein mentioned.

An act to alter, change, and abolish certain election precincts herein mentioned.

An act to incorporate a bank, to be called the Exchange Bank of the city of Savannah.

An act to incorporate the Merchants and Planters Bank.

An act to alter and change the corporate name and style of the Marine and Fire Insurance Bank of the State of Georgia, to the corporate name and style of the Marine

Bank of Georgia, and to authorize the same to increase the capital thereof, and to establish branches and to extend the charter of said corporation, and to authorize a change of the name of the Bank of Brunswick, to extend its charter under the new name, to determine certain liabilities of stockholders and to make valid certain contracts and regulate proceedings thereon.

An act to change the time of holding the Inferior Court in the county of Fayette.

An act to authorize Drs. William D. Quinn and James H. Lane of the county of Wilkes, and Madison Greenwood of Rabun county, James R. Folsom of Lowndes, H. H. Wootten of Carroll county, to practice medicine and charge for the same, and for other purposes therein specified.

An act to amend the several laws incorporating the city of Milledgeville, and to establish a Police Court therein.

An act to allow Jurors serving in Justices Courts, additional compensation for verdicts rendered in such Courts, so far as relates to the county of Decatur.

An act to alter and amend the second Section of an act to lay out and organize a new county, from the counties of Talbot, Macon, and Marion, and attach the same to a Senatorial District, approved January 15th, 1852.

An act to amend an act entitled an act to incorporate the town of Washington, in Wilkes county, assented to, December 7th, 1831, and to vest the Inferior Court of said county, with discretionary power in certain cases.

An act to appropriate money for the purpose therein designated.

An act to alter, change and amend an act entitled an act to compensate Grand and Petit Jurors of the county of Muscogee, and to authorize the Justices of the Inferior Court of said county, to levy and collect a tax for such purposes and for other purposes herein named, approved December 21st, 1849, so far as to require the Clerks of the Superior and Inferior Courts, to pay over to said Jurors, the full amount of all jury fees in addition to the one dollar per day now allowed by the above recited act, and for other purposes therein named.

An act to incorporate the Christian Church of Augusta, in the county of Richmond.

An act to incorporate the Georgia Mining Company, and to grant certain powers and privileges to the same.

An act to reduce the Sheriff's bond in the counties of Butts and Emanuel.

An act to make certain persons therein mentioned, competent jurors and witnesses, and to declare the law therein.

An act to authorize the Justices of the Inferior Court of

the county of Gilmer, to lay off said county into School Districts, and to appoint trustees for the same.

An act to add lots of land number one hundred and fifty-two, (152,) and one hundred and twenty-two, (122,) in the 11th District of originally Muscogee, now Marion county, to the county of Talbot.

An act to incorporate the town of Graniteville, in the county of Coweta.

An act to authorize all Physicians within the State of Georgia, having received a diploma from any Medical College within the United States, to practice Physic in this State and charge for the same without license.

An act to alter and change the names of certain persons herein mentioned, and for other purposes.

An act to change the name of Nancy N. Hightower, of Marion county, to that of Nancy N. Pitts.

An act to authorize James Lasseter, son of John Lasseter, of the county of Decatur, a minor, to transact his own business in the same manner and subject to the same responsibilities as though he was of full age, and to confer certain powers upon M. C. M. Hammond, guardian of his minor children, and for other purposes therein mentioned.

An act to change the name of Joseph D. Bartlett, and to legitimize the said Joseph Bartlett; also, to change the names of Nancy Hutts and Elizabeth Jane Hutts, to those of Nancy and Elizabeth Jane Brown, and make them heirs at law of Frederick Brown, of Irwin county, Georgia.

An act to lay out and form a new county, out of the counties of Muscogee and Marion, and to organize the same.

An act to authorize the Justices of the Inferior Court of Bryan county, to lay out and dispose of, as they may deem necessary, the lots belonging to the county site of said county.

The House went into Committee of the Whole—Mr. Arnold in the Chair—on the bill to be entitled an act to refund to Francis Xavier Gartland, a double tax; after sometime spent therein, the committee rose and reported the bill back to the House, without amendment.

The report was agreed to, and the bill was read the third time.

Upon the question "Shall this bill now pass?" the yeas and nays were required to be recorded, at the call of Mr. Phillips, and are: yeas 43, nays 41.

Those who voted in the affirmative are Messrs.

Adams	Benj. Cleveland	Fields
Anderson,	Crittenden	Gartrell
Andrews	Dubignon,	Grant
Arnold,	Eberhart	Hardeman

Hawkins,	McDonald,	L. S. Stewart,
Hardison	McDougald,	J Taylor
Hamilton	McLean	D. W Taylor,
Headen	McMullin	Turner,
Irwin,	Mobley,	J. H. Walton,
Jones,	Nichols	A J Williams
Latham,	Paris	H. L. Williams,
Mangham	Phillips	Wilson,
Mays	Powell	Young
McComb	Rucker	
McCurdy,	Stapleton,	

Those who voted in the negative are Messrs.

Alread	Hays	R A Robinson
Armstrong,	Henderson,	Rowell,
Bostwick,	Hudson,	Rumph
Calloway,	Keith,	Shewmake
Cameron	Linn	W. R. Smith,
Clark	Maxwell	W Smith,
Clements	Manor,	Stephens,
Crawford,	Pickett,	Strickland
Dawson	Powers,	W. A. Walton,
Fish,	Redding	Walker
Gross	G. R. Reid,	West,
W. P. Harden,	M. Reid,	Whitworth,
Harris,	Richardson,	Woodward
Harrall	Riley,	

So the bill passed.

The House took up the Senate bill to be entitled an act to amend the several acts, incorporating the town of Greensborough, and for other purposes therein mentioned.

Mr. Turner offered to amend, by adding, as an amendment, six additional sections, incorporating the town of Resaca, in the county of Gordon ; which was accepted.

The report, as amended, was agreed to. The bill was read the third time and passed.

The House took up the report on the bill of the Senate to be entitled an act to secure a preference to persons in possession in applications for grants under the laws pertaining to head rights.

The report was agreed to ; the bill was read the third and passed.

The House took up the report on the Senate bill to be entitled an act for the relief of Samuel McBee, of Dade county.



The report was agreed to; the bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to reduce the Sheriff's bonds of this State, so far as concerns the county of Effingham.

Mr. Walton offered to amend by granting certain powers to the Deputy Sheriff of Richmond county; which was adopted.

The report, as amended, was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the Senate bill to be entitled an act to incorporate Antioch Baptist Church, in the county of Washington and appoint trustees for the same; and to incorporate other churches and academies therein named.

The report was agreed to; the bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to establish a ferry on the Chattahoochee River, in Early county.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the Senate bill to be entitled an act to alter and amend the several acts of this State, so far as relates to the county of Glynn.

The report was agreed to; the bill was read the third time and passed.

On motion of Mr. Richardson, the House adjourned until half-past two o'clock, this afternoon.

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### HALF-PAST TWO O'CLOCK, P M.

The House met pursuant to adjournment,

And proceeded with the reading of bills of the Senate the third time.

The House took up the Senate bill to be entitled an act to authorize the Justices of the Inferior Court of the counties of Telfair, Irwin, Montgomery, and Pulaski to grant permission to lay out roads leading to the rivers, remove obstructions in creeks to facilitate the lumber business, and for other purposes.

Mr. Williams moved to add "the county of Emanuel;" was agreed to.

Mr. Reid, of Irwin, moved to add "the county of Coffee;" which was agreed to.

The report, as amended, was agreed to. The bill was read the third time and passed.

On motion of Mr. Walker the following resolution of the Senate was taken up and read, to wit:

*Resolved by the Senate and House of Representatives of the State of Georgia,* That his Excellency, the Governor, be and he is hereby requested to purchase from the Rev. George White, six hundred copies of his Historical Collections of Georgia, at a cost not exceeding two dollars and fifty cents per copy. That one copy be transmitted to the Ordinary, to the Clerk of the Superior Court and the Clerk of the Inferior Court of each county for the public use, and that the remainder be placed in the State Library for further distribution.

Mr. Walker moved the adoption of the resolution.

Upon which motion, the yeas and nays were required to be recorded—and are: yeas 46, nays 28.

Those who voted in the affirmative are Messrs.

Adams,	Irwin,	Shewmake,
Anderson	Jones	Stapleton,
Arnold,	Latham	Stephens
Armstrong,	Martin	J. Taylor,
Clark	Mays	D. W. Taylor,
Cody	McComb	Thornton
Crittenden	McDougald,	W. A. Walton,
Eberhart	McGregor	Walker,
Gartrell,	McLean	West
Gross,	McMullin,	A. J. Williams,
W P Harden	Mobley,	H L Williams
J Hardin	Moughon	Williamson
Harris,	Paris,	Woodward,
Hardison	Phillips	Young,
Hamilton,	G. R. Reid.	
Hendrick	Rowell,	

Those who voted in the negative are, Messrs.

Alread,	Keith	Rumph,
Andrews	Linn,	W. R. Smith,
Benj. Cleveland,	Mangham,	W Smith
W. C. Cleveland,	Manor,	J Stewart,
Crawford,	McCurdy,	Turner,
Fields,	Nichols,	J. H. Walton,
Hardeman	Pickett	Whitworth,
Headen,	Poole,	Williford,
Henderson,	Redding,	
Hudson	M. Reid,	

So the resolution was adopted.

On motion of Mr. Irwin, the following resolution of the Senate was taken up and agreed to, to wit :

*Resolved by the Senate and House of Representatives of the State of Georgia, in General Assembly met, That they recommend to the Congress of the United States the establishment of a Naval Depot at the city of Brunswick, in this State.*

*Resolved, That his Excellency, the Governor, be requested to forward copies of the foregoing resolution to our Senators and Representatives in Congress.*

The House took up the Senate bill to be entitled an act to extend the corporate limits and jurisdiction of the city of Marietta, in Cobb county, and to add the territory therein described to said city.

The report was agreed to. The bill was read the third time and passed.

The House took up the Senate bill to be entitled an act relating to Commissioners of Pilotage for Savannah River, passed in 1847.

Mr. Ward offered the following substitute for the original bill :

SEC. 1. *Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That nothing in said act of December 30th, 1847, shall be so construed as to deprive any of the inhabitants of this State or of the adjoining State, who may carry any raft or rafts of lumber, staves or shingles to the city of Savannah for sale, from the free use of the waters of Savannah River for mooring and securing any such raft or rafts at or near the wharves on said river, during the period of six days next following the day on which any such raft shall arrive at Savannah : provided the mooring and securing of any such raft or rafts shall not interfere with the channel of said River or access to the wharves ; and after the expiration of said term of six days, so allowed to persons carrying rafts to Savannah for sale, all rafts so carried for sale shall be confined south of a line connecting the extreme point of the upper rice mill wharf and the lower or eastern corner of the wharf in front of Giles & Bradley's mills, or at such other place in the River as may be designed by the Mayor and Aldermen of the city of Savannah.*

SEC. 2. *And be it further enacted, That vessels lying in Savannah River shall be allowed to take in cargoes of sawed lumber and timber from alongside, under such rules for the preservation of the river and free navigation thereof as said Mayor and Aldermen of the city of Savannah may prescribe and publish.*

Upon the question of adopting the substitute in lieu of the original, the yeas and nays were required to be recorded, at the call of Mr. Ward, and are : yeas 36, nays 44.

Those who voted in the affirmative are, Messrs

Adams,	Hays,	McDougald,
Andrews	Hardison,	Mobley,
Arnold	Hamilton,	Moughon,
W C. Cleveland,	Headen	Phillips
Clements,	Hendrick	Poole
Cody,	Irwin,	M. Reid,
Crawford,	Latham.	R. A Robinson,
Eberhart	Linn	W R. Smith,
Fields,	Mangham,	L S Stewart
Fish	Mays	Thornton
Gartrell	McComb,	Whitworth,
W P. Harden,	McDonald,	H L Williams

Those who voted in the negative are Messrs.

Alread,	Maxwell	Shewmake
Armstrong,	Manor	W. Smith,
Bostwick,	McCurdy,	Stapleton
Calloway	McGregor,	Stephens,
Cameron,	McLean	J. Stewart
Clark	McMullin,	Strickland,
Benj. Cleveland,	Nichols,	Turner,
Griffin	Paris,	J. H. Walton,
Gross.	Redding,	W A. Walton.
Harris,	G. R. Reid	Walker
Harrall,	Richardson	West
Henderson,	Riley	Williamson,
Hudson.	Rowell	Williford
Keith,	Rucker	Woodward.
Martin	Rumph	

So the motion to adopt was lost.

The report of the original bill was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the Senate bill to be entitled an act to amend an act incorporating the town of Calhoun, in Gordon county, approved January 12th, 1852, and to extend the corporate limits of the city of Augusta.

The report was agreed to. The bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to compel Judicial Officers to turn over to their successors in office, books received from the State.

The report was agreed to. The bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to incorporate the Bainbridge Cemetery, in the county of Decatur, and to appoint trustees for the same.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to amend an act to incorporate the city of Griffin, assented to December 28th, 1843, and to repeal an act to alter and amend the several acts incorporating the city of Griffin, assented to February 21st, 1850.

The report was agreed to. The bill was read the third time and passed.

The following message was received from the Senate by Mr. Moore, their Secretary :

*Mr. Speaker*—The Senate has passed the following bill of the House of Representatives, with amendments, in which they ask concurrence, to wit :

“A bill for the relief of John F. Greene ;” which I am direct to transmit forthwith to this branch of the General Assembly.

The following communication was received from his Excellency the Governor, by his Secretary, Mr. Briscoe, to wit ;

#### EXECUTIVE CHAMBER, }

MILLEDGEVILLE, GEO., FEBRUARY 14th, 1854. }

*To the House of Representatives—*

After mature reflection, I am constrained to withhold my approval of a bill originating in the Representative Branch of the Legislature, entitled an act to authorize the distribution of estates in certain cases therein mentioned, The bill is both inexpedient and unconstitutional.

It is inexpedient because it weakens the safeguard, which existing laws throw around infants for their protection.

It is unconstitutional because in certain cases it takes from the ordinaries of the several counties of this State the powers which are vested in them by that instrument. It declares that under certain circumstances executors and administrators may become *ex officio* guardians.

It is perhaps proper also to observe that in cases where administrators shall thus become *ex officio* guardians it fixes the liability of their securities for his conduct as such guardian, thus changing the character of their bonds and charging them with obligations they did not undertake.

The Courts would be compelled to relieve securities against any such liability.

For these reasons I respectfully return the bill to that branch of the General Assembly in which it originated.

H. RSCHEL V. JOHNSON.

The House took up the Senate bill to be entitled an act

explanatory of the 12th and 14th sections of the 9th Division of the Penal Code.

On motion of Mr. McDougald, the bill was indefinitely postponed.

The House took up the report on the bill to be entitled an act to incorporate a bank in the city of Griffin, to be called the Interior Bank of the State of Georgia.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to appoint an additional number of trustees for the Bainbridge Academy, in the county of Decatur.

The report was agreed to. The bill was read the third time and passed.

On motion of Mr. McDougald, the rules of the House were suspended, and the House took up the report on the bill to be entitled an act to refund to W. W. and F. D. Ross a certain amount of money.

The report as amended was agreed to. The bill was read the third time and passed.

The House went into committee on the bill to be entitled an act for the relief of Robert B. Bostwick, of the county of Cobb.

After sometime spent therein the committee rose and reported the bill back to the House without amendment.

The report was agreed to. The bill was read the third time and passed.

On motion, leave of absence was granted to Messrs. Clark and Hattou on account of the sickness of their families.

The House went into Committee of the Whole—Mr. Arnold in the Chair, on the bill to be entitled an act for the relief of William Crew, of the county of Muscogee, and to appropriate to him a certain sum of money therein specified.

After sometime spent therein, the committee rose and reported the bill back to the House without amendment.

The report was agreed to. The bill was read the third time and lost.

The House went into Committee of the Whole, Mr. Arnold in the Chair, on the bill to be entitled an act for the relief of John Ursy, of Warren county.

After some time spent therein, the committee rose and reported the bill back to the House without amendment.

The report was agreed to. The bill was read the third time and lost.

The House took up the Senate bill to be entitled an act to incorporate the Georgia Gold Company and the Mining Company of Northern Georgia.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the Senate bill to be entitled an act for the government of Solicitors General in certain cases therein named, and to provide for the payment of the fees of witnesses.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the bill to be entitled an act to amend the several acts now in force regulating and establishing the fees of certain officers, so far as relates to the county of Cobb, and certain other counties therein named.

The report, as amended, was agreed to; the bill was read the third time and passed.

The House took up the report on the bill to be entitled an act to charter the Blue Ridge Rail Road Company, extending from the town of Clayton via Union county, to the Tennessee and North Carolina line.

Mr. Pickett moved to postpone the bill indefinitely.

Upon which motion, the yeas and nays were required to be recorded—at the call of Mr. Pickett—and are : yeas 38, nays 32.

Those who voted in the affirmative, are Messrs.

Alread,	Irwin,	Riley,
Anderson,	Jones	R A Robinson
Bostwick,	Maxwell	W. R. Smith,
Benj. Cleveland,	Manor	W Smith
Cody,	Mays	J Taylor,
Eberhart,	McDougald,	Thornton
Fields	McLean	Turner,
Fish	Moughon	W A Walton
Gartrell,	Nichols,	J. H. Walton,
Griffin,	Pickett	Walker,
W. P. Harden,	Powers,	Whitworth
Harris,	Redding	Williamson,
Henderson,	M Reid,	

Those who voted in the negative are, Messrs.

Adams	Latham	Richardson
Arnold	Linn,	Rowell
Crittenden	McCurdy	Rucker
Dawson	McMullin,	Rumph,
Dubignon,	Mobley.	J C Smith,
Hays,	Paris	Stapleton
Hawkins	Phillips,	L S Stewart,
Hardison	Poole,	Strickland
Hendrick,	G. R. Reid,	D. W. Taylor,

West,  
H L Williams

A J Williams  
Williford

Young,

So the motion was agreed to.

On motion of Mr. McDougald, the House adjourned until half-past 7 o'clock, P M.

### HALF PAST SEVEN O'CLOCK, P M.

The House met pursuant to adjournment.

Mr. Gartrell, from the Committee on Education, reported the bill to be entitled an act to provide for the education of the poor, approved January 22d, 1852, and for other purposes, back to the House, with the following substitute, to wit:

"A bill to be entitled an act more clearly to define the duties of School Commissioners of Richmond county, and for other purposes ;" which, on motion of Mr. Gartrell, was taken up.

The report was agreed to. The bill was read the third time and passed.

The House proceeded to read the following Senate bills the first time, to wit :

A bill to be entitled an act to change the names of certain persons, and to legitimize and make them heirs at law of certain persons.

A bill to be entitled an act to amend and explain the 8th Section of an act entitled an act to amend an act entitled an act to revise the Judiciary System of this State, approved February 16th, 1799, also, to amend and explain an act entitled an act to alter and amend the 8th Section of the Judiciary act of this State, passed February 16th, 1799, and to define more particularly the fees of Clerks, assented to December 22d, 1840, to declare the proper interpretation of said acts, to regulate the practice thereunder, and to declare valid all judgments rendered in suits wherein there has been an implied waiver of process or service.

A bill to be entitled an act to authorize the Justices of the Inferior Court to issue bonds, &c.

A bill to be entitled an act to establish and make uniform the rates of ferriage, and to regulate ferries, and to make penal any violation of the same, so far as relates to the counties of Decatur and Camden in this State, and for other purposes therein contained.

A bill to be entitled an act to repeal an act approved 26th December, 1845, authorizing the Inferior Courts of the different counties to build and keep in repair bridges, &c., so far as relates to Franklin county.



A bill to be entitled an act to authorize the Inferior Court of Decatur county to levy an additional tax, not exceeding two hundred per centum.

A bill to be entitled an act to incorporate Rome Chapter, No 26, and Etowah Council No. 12. of Free and Accepted Masons, at Rome, Floyd county, and certain other Lodges therein named, &c.

A bill to be entitled an act to amend an act entitled an act to prescribe the mode of laying out private ways, and for other purposes, approved January 17th, 1852. and for other purposes herein named.

A bill to be entitled an act to authorize the Mayor and Council of the city of Atlanta to inclose a portion of the State Square in said city, to be used as an open Park.

A bill to be entitled an act to authorize Joseph Tilly of Hancock county, to peddle without paying for the privilege.

A bill to be entitled an act to repeal a portion of the Statute of the 32d of Henry the Eighth, and to make valid deeds of Conveyance to land, made by a person holding legal title to the same, and who at that time is not in possession.

A bill to be entitled an act to prevent the killing of Deer at certain periods of the year, in the county of Burke.

A bill to be entitled an act to authorize the road commissioners of Glynn and Camden counties to relieve certain persons from road duty.

A bill to be entitled an act to prevent delays in collecting debts against the estate of deceased persons, and to authorize and enable temporary administrators to pay the same.

A bill to be entitled an act for the relief of John Piles.

A bill to be entitled an act to admit to record certain instruments, and to authorize certain persons to administer oaths.

A bill to be entitled an act to alter and change the precinct in the 1st district of the county of Cobb.

A bill to be entitled an act to alter the lines between the 4th and 6th districts of Troup county, and to change the lines between certain counties therein mentioned.

A bill to be entitled an act to lay out and organize the county of Hayne, from the county of Camden.

A bill to be entitled an act to incorporate the town of Sylvania in the county of Scriven, to provide for the election of commissioners of said town and such other officers as may be necessary, and confer special powers, and for other purposes therein mentioned.

A bill to be entitled an act to extend the limits of the prison bounds for honest debtors in the county of Bibb.

A bill to be entitled an act to change the line between the counties of Greene and Taliaferro.

A bill to be entitled an act in relation to the limitations over estates.

A bill to be entitled an act to protect those engaged in the turpentine business, and to prevent the setting fire to woods, grass or marshes, except at certain times, and under certain circumstances, so far as the county of Early is concerned.

A bill to be entitled an act to alter and amend the eighth Section of the 4th division of the Penal code of this State.

A bill to be entitled an act to confer certain privileges upon James W. Cockrane of the county of Greene, and make his acts lawful as if he was of full age.

A bill to be entitled an act for the relief of Jennette Smith, of the county of Houston; Mileah Lodtman of Augusta, and Lenier M. Patillo of Cobb county.

A bill to be entitled an act to authorize the Court of Ordinary of Talbot county to grant letters of administration on the estate of Samuel P. Yarborough deceased.

A bill to be entitled an act to amend and act to incorporate an Insurance company, to be called the Savannah Mutual Insurance Company, passed December 30th, 1847, and an act amendatory thereof, passed 23d February, 1850.

A bill to be entitled an act to alter and amend the 3d section of an act to regulate the general elections of this State and to point out the time of the meeting of the General Assembly, assented to on the 11th day of February 1799.

A bill to be entitled an act to authorize and require the Inferior court of Polk county to examine and allow to the Tax Collectors of said county their insolvent lists, in lieu of the Grand Jurors of said county.

A bill to be entitled an act to provide for the navigation of Ebenezer Creek or the runs in the county of Effingham, and removing obstructions from the same, and the navigation of the Ochopee rivers, in Emanuel county, and to authorize the Inferior Courts of said counties to grant private ways to said rivers.

A bill to be entitled an act to add an additional section to the 13th Division of the Penal Code.

A bill to be entitled an act to require the Clerks of the Superior Courts to issue writs of *ne exeat* in certain cases, and to regulate the proceedings on the same.

A bill to be entitled an act to alter and amend the 27th Section of the 10th Division of the Penal Code of this State.

A bill to be entitled an act to establish an election precinct at the Justices Court Ground, in the 1048th District, G. M., in Floyd county, and for other purposes therein named.

A bill to be entitled an act compelling the Tax Receivers and Collectors of the county of Jasper to visit the houses

of all widows in said county, before returning them as defaulters.

A bill to be entitled an act to amend the processioning laws of this State.

A bill to be entitled an act to authorize James J. Garrison, of the county of McIntosh, to practice medicine, and to charge compensation therefor.

A bill to be entitled an act make permanent the site of the public buildings in the county of Emanuel at the town of Swainesboro, and to incorporate and appoint commissioners for the same, and to change the name of Swainesboro to that of Paris, and for other purposes.

A bill to be entitled an act to alter and amend the act passed on the 25th day of December, 1821, in relation to the distribution of estates, so far as relates to advancements.

A bill to be entitled an act to change the place of holding Justices Courts and election precincts in the 537th District, G. M., in Upson county.

A bill to be entitled an act to incorporate the town of Irwinton, in the county of Wilkinson, and to provide for the election of Intendent and Commissioners therefor, and to define their powers and duties.

A bill to be entitled an act to authorize Robert D. McElveen, of the county of Decatur; J. M. Sessions and Ezeariah Ennis, of Screven county; Needham Auger, of Fulton county, and E. G. Doyle of Baldwin county, to practice medicine and receive compensation for the same.

A bill to be entitled an act to authorize the sale at public outcry, by an agent, to be appointed by the Governor, of the unsurveyed lands of the Okefenokee Swamp, and to provide for the expenses of said sale.

A bill to be entitled an act to authorize the Justices of the Inferior Court of the county of Hancock to take stock to the extent of one hundred thousand dollars for said county, in a Rail Road to be built from Warrenton to Macon, by way of Sparta and Milledgeville, and to authorize certain other counties therein mentioned and the city of Albany to take stock in the Brunswick and Florida Rail Road.

A bill to be entitled an act to incorporate the Rome Building and Loan Association.

A bill to be entitled an act to authorize James Herty, of Baldwin county, to sell by retail his present stock of drugs and medicines, and for other purposes.

A bill to be entitled an act to authorize certain persons therein named to practice medicine on the Eclectic and Homœopathic systems, and for other purposes.

A bill to be entitled an act for the relief of John Montgomery and William A. Lewis, of Forsyth county, and for other purposes therein named.

A bill to be entitled an act to change the name of Mary Susan Clack, of Pike county, to that of Mary Susan Neal, also other persons therein named.

A bill to be entitled an act to incorporate the Blue Ridge Rabun Gap Church, and for other purposes.

A bill to be entitled an act to incorporate the town of Barnesville in Pike county, and extend the corporate limits of the city of Atlanta, and for other purposes.

A bill to be entitled an act to alter and amend a part of the 1st Section of the 3d Article of the Constitution.

A bill to be entitled an act amendatory of the act incorporating the Academy for the county of McIntosh assented to December 25th, 1822.

A bill to be entitled an act amendatory of the lien laws of mechanics, &c.

A bill to be entitled an act to compel non-resident defendants, in cases of forcible entry and detainer, to give bond and security in certain cases.

A bill to be entitled an act to incorporate Friendship Academy, in the county of Twiggs, and for other purposes.

A bill to be entitled an act to change the line between the counties of Warren and Taliaferro.

A bill to be entitled an act to repeal so much of the 13th Section of the 13th Division of the Penal Code as refers to the purchase of rice and cotton from slaves, and for other purposes.

A bill to be entitled an act in relation to the working of roads in the county of Thomas.

A bill to be entitled an act to incorporate the Cherokee Copper Company, of Georgia.

A bill to be entitled an act to add a proviso to the 7th Section of the 2d Article of the Constitution of this State.

A bill to be entitled an act to legalize and make valid the official acts of Luke Johnson, a Justice of the Peace of Fayette county.

A bill to be entitled an act to amend the laws now in force relative to the service of bills in equity, and libels for divorce, and the several acts fixing the time allowed Clerks to copy and attach process thereto, and to Sheriffs for serving the same.

A bill to be entitled an act to prescribe the mode and manner of ascertaining damages done to enclosed or unenclosed lands, by the reason of the laying out of public roads or private ways through the same, and for other purposes, so far as the county of Decatur is concerned.

A bill to be entitled an act to incorporate the Atlanta Irish Volunteers.

A bill to be entitled an act to incorporate Lawrenceville Lodge, No. 131, of free and Accepted Masons.

A bill to be entitled an act to authorize Uriah Jayner to

establish Fort Barrington Ferry across the Altamaha river, in McIntosh and Wayne counties, on his own land, and to vest the right thereof in the said Uriah Jayner, his heirs and assigns, and to fix the rates of ferriage and for other purposes therein mentioned.

A bill to be entitled an act to repeal the 2d Section of an act entitled an act to change the line between the counties of Floyd and Chattooga, and to change the line dividing the counties of Putnam and Jasper, so as to include the residence of Duncan McKissack, of the county of Jasper.

A bill to be entitled an act to authorize the Georgia Rail Road and Banking Company to receive and incorporate into their present Rail Road, as a part thereof, a new Rail Road, to be built between Macon and Warrenton, by way of Milledgeville, and to amend the charter of the Milledgeville Rail Road Company, and to confer certain powers on the same.

A bill to be entitled an act to incorporate the Monroe county male academy, in the town of Forsyth, and to appoint trustees for the same.

A bill to be entitled an act to regulate the sale and division of slaves in certain cases therein named.

A bill to be entitled an act to apportion the representatives among the several counties of this State, according to the 7th section of the 1st article of the constitution.

A bill to be entitled an act to repeal an act to alter and amend the road laws of this, so far as relates to the county of Thomas.

A bill to be entitled an act to require executors to give bond in certain cases.

A bill to be entitled an act to regulate the fees of the Magistrates and Constables in the county of McIntosh, and to provide for the collection of the same.

A bill to be entitled an act to amend the 21st section of an act approved the 21st January 1852, relative to the duties of the Ordinary.

A bill to be entitled an act to amend the laws relative to electing Judges of the Inferior Courts of this State.

A bill to be entitled an act to amend the charter of the Southern Mutual Insurance Company, and to authorize said Company to transfer the life department thereof.

A bill to be entitled an act to repeal an act entitled an act to regulate the fees of Attorneys and Solicitors General, and for other purposes therein mentioned.

A bill to be entitled an act to make it penal to cut and haul wooden timber off of lands in Bibb county, without the consent of the owner or tenant in possession.

A bill to exempt practicing physicians of the county of Effingham from Jury duty.

A bill to be entitled an act to authorize the Trustees of the

Carrollton Academy to sell the same, and vest the proceeds in the Carrollton Seminary.

A bill to be entitled an act to add the county of Carroll to to the 4th congressional district, the county of Wilkinson to 1st Congressional District, the county of Twiggs to the 3d Congressional District.

A bill to be entitled an act for the relief of James M. Patterson.

A bill to be entitled an act to amend an act entitled an act to exempt certain persons of McIntosh county from road duty, and for other purposes therein named, approved January 19th, 1852, so far as to make the same general in its operations, so far as the county of McIntosh is concerned.

A bill to be entitled an act to incorporate the Baptist Church at Sylvania, Scriven county, and the Bluff Spring Camp Ground, in Pike county:

A bill to be entitled an act to extend the time for purchasers of fractions and square lots of land, sold under the provisions of an act, assented to the 30th of December, 1849.

A bill to be entitled an act to amend an act entitled an act, to establish a Botanic Medical Board of Physicians in this State.

A bill to amend an act incorporating the Coosa River Steamboat Company, so as to reduce their capital.

A bill to be entitled an act to incorporate the town of Tazewell, in Marion county, and to appoint Commissioners for the same.

A bill to be entitled an act to render Charles Fitz William Blake, of the county of Thomas, capable of inheriting the property of Penelope Tison, and to declare him the adopted son of said Penelope, and to place him in the same relation to her, according to the laws of descent in this State, as if he were the legal heir of said Penelope.

A bill to be entitled an act to authorize the Inferior Courts of Lumpkin, Worth and Forsyth counties, to levy an extra tax for county purposes.

A bill to be entitled an act to authorize the Commissioners of the Poor School Fund of Monroe county, to pay the accounts of teachers for the tuition of poor children, for the years 1852 and 1853, not rendered in within the time prescribed by law.

A bill to be entitled an act to authorize the election of two Commissioners from each Militia District, in the county of Wayne, to select a suitable location for a new court house in said county, and to make permanent the same; to authorize the Inferior Court of said county of Wayne, to levy an extra tax to pay for the building of said court house; to point out the mode of electing said Commissioners, and for other purposes therein mentioned.

A bill to be entitled an act to amend the several acts rela-

ting to the Justices Courts, so far as relates to the county of Chatham, approved December the 19th, 1849, so far as to include the Justices Courts of the county of McIntosh.

A bill to authorize land owners, on the river Altamaha and Finholloway Creek, in Wayne county, to build lumber yards, or wharves, on said river and creek, and charge for the use of the same.

A bill to be entitled an act to revive and continue in force an act, approved on the 22d day of January, 1852, entitled an act to incorporate the West Point Rail Road & Plank Road Company, and to punish persons for molesting the same, except so far as the Plank Road is concerned, and to specify the names of persons substituted as incorporators by this act.

A bill to be entitled an act in addition to, and amendatory of, the several acts regulating attachments in this State, and to authorize remedies in certain cases.

A bill to be entitled an act, to define a line in Baker county.

A bill to be entitled an act to amend the law in relation to deeds of conveyance.

A bill to be entitled an act to alter and amend an act, passed and approved the 17th of December, to authorize parties to compel discoveries at common law.

A bill to be entitled an act to extend certain privileges to the Irish Volunteers, in the city of Augusta, and to incorporate and confer certain privileges upon the Talbot Guards, and the Atlanta City Guards.

A bill to be entitled an act to define the liability of executors, administrators, guardians, trustees, and certain public officers, in certain cases.

A bill to be entitled an act, to alter and amend the road laws of this State, so far as relates to the counties of Wilkes, Lumpkin, Laurens, Lincoln and Columbia.

A bill to be entitled an act, amendatory of an act, to incorporate the town of Americus, in the county of Sumter, passed the 22d of December, 1852, and an act amendatory of the same, approved December 22d, 1852.

A bill to be entitled an act to repeal an act entitled an act, to permit owners of land lying on both sides of the rivers Ostenaula, Connasauga and Coosawattee, to erect mill dams, or fish dams, across the same, upon certain conditions, and to prescribe the punishment to which a violation thereof shall subject the offender, approved December the 22d, 1847, and for other purposes.

A bill to be entitled an act to incorporate the Madison and Gordon Telegraph Company.

A bill to be entitled an act to authorize the Governor to issue a grant to Zadock Bonner, for fraction, No. 280, in the 8th District, of Carroll county.

A bill to be entitled an act to incorporate the Georgia & Alabama Rail Road Company, and to grant certain powers and privileges to the same, and for other purposes.

A bill to be entitled an act to amend an act, to provide for the education of the poor, approved the 22d of January, 1852, in relation to the payment of teachers.

A bill to be entitled an act to alter and amend an act, to alter and amend the several Judiciary acts now of force in this State, so far as relates to Justices Courts, approved December the 14th, 1811, so as to allow and authorize the same person to hold the two offices of Clerk of the Inferior Court and Justice of the Peace, at the same time, in the county of Wilkes.

A bill to be entitled an act to repeal an act, to alter and amend the road laws, so far as they relate to McIntosh county, so as to relieve the hands subject to road duty who are residents upon Sapelo Island, from working the roads upon the main lands, approved January the 22d, 1852.

A bill to be entitled an act to authorize and require the Justices of the Inferior Court of the county of Emanuel, to levy an extraordinary tax, not to exceed one hundred per cent on the general State tax, for the purposes of building a new court house, and for other purposes therein mentioned.

A bill to be entitled an act for the relief of Ely P. Howell, of Gordon county, and his securities.

A bill to be entitled an act to reduce the Sheriffs' bond of this State, so far as concerns the county of Camden.

A bill to be entitled an act to amend an act, to incorporate the Savannah & Albany Rail Road Company, with power to extend the said Road, and to construct branches, and to amend the acts incorporating the Georgia Rail Road & Banking Company, and to change the name of the said Savannah & Albany Rail Road Company.

A bill to be entitled an act to incorporate the town of Palmetto, in the county of Campbell, and to appoint Commissioners for the same, and for other purposes therein mentioned.

A bill to be entitled an act to incorporate the Walton Steam Mill Company, and to grant said company the powers and privileges therein designated, and to incorporate the Athens Steam Company.

A bill to be entitled an act to incorporate the Georgia & Florida Steam Packet Company.

A bill to be entitled an act to change the line between the counties of Campbell and Fayette, so as to include the residence of Nathan Campbell, now of the county of Fayette, in the county of Campbell.

A bill to be entitled an act to incorporate the Athens



Building & Loan Association, and to extend the corporate limits of Monroe, in Walton county.

A bill to be entitled an act to provide for the adjournment of the Superior Courts of this State, in certain cases.

A bill to be entitled an act to authorize Gracy Hicks, of Crawford county, to establish a ferry on Flint River, in said county, on her own land; and, also, to authorize Seaborn Wynn, to keep up the ferry heretofore established across Little River, on his own land.

A bill to be entitled an act to alter the line between the counties of Union and Lumpkin.

A bill to be entitled an act to provide for the education of the poor, so far as the counties of Habersham and Carroll are concerned, and to require the Ordinary of Chattooga county to pay the widow of Harrison H. Strange, a certain sum therein named.

A bill to be entitled an act to authorize amendments to be made to the short form of writs prescribed by the acts of 1847, and 1849 and 1850; and also to allow of their being adapted to other cases of action than those they embrace, and to sanction the joinder of other counts with them, where the same judgment may be rendered for other purposes.

The House proceeded to take up and read the following Senate bills the third time, to wit:

The House took up the Senate's bill to be entitled an act to provide for the election of Marshal and Deputy Marshal, in the town of Athens, and for their removal from office.

The report was agreed to. The bill was read the third time and passed.

The House took up the Senate's bill to be entitled an act to require a written memorandum to revive any notes or debts, barred by the statute of limitation.

The House took up the Senate's bill to be entitled an act to amend an act, approved January the 9th, 1852, to levy and collect a tax for the political years 1852 and 1853, and thereafter, until repealed.

On motion of Mr. Crittenden, it was laid on the table for the balance of the session.

The House took up the Senate's bill to be entitled an act to incorporate the Carrollton Rail Road Company, approved January, 1852.

On motion of Mr. Reid, of Carroll, it was laid on the table for the balance of the session.

The House took up the Senate's bill to be entitled an act to authorize the Justices of the Inferior Court to bind out any free person of color between the ages of five twenty-one years.

The report was agreed to; the bill was read the third and passed.

A bill to be entitled an act to compensate the Grand and

Petit Jurors of the county of Irwin, and for other purposes.

On motion of Mr. Reid, of Irwin, it was laid on the table for the balance of the session.

The House took up the Senate's bill to be entitled an act to change the name of Mary Frances Tisdal, of the county of Putnam, to that of Mary Frances Kolb, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

The House took up the Senate's bill to be entitled an act to authorize guardians of minors, to invest surplus funds in slave property, under certain conditions, and Ann T. Whitfield, administratrix of Horatio Whitfield, of Troup county, to sell and buy land on account of said estate.

The House took up the report on the Senate's bill to be entitled an act to amend the 32d Section of the Judiciary laws of this State, relating to filing affidavits of illegality, and other trial of claims.

The report was disagreed to. The bill was read the third time and lost.

The House took up the report on the bill to be entitled an act to make Edward Young Hill Dale, of the county of Carroll, the heir at law of Jonathan Polston, of said county.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill to be entitled an act to change the line between the counties of Cass, Polk and Paulding, and to add a part of the counties of Polk and Paulding to the county of Cass.

On motion of Mr. McGregor, the bill was laid upon the table for the balance of the session.

The House took up the report of the committee on the Senate's bill, to be entitled an act to extend an act, to allow the Sheriff of Chatham county, certain fees which are not provided for by law, and to allow him to appoint special Deputy Sheriffs in certain cases, and for other purposes, so as to confer the same benefit and powers upon the Sheriff of Bibb county.

On motion of Mr. Redding, the bill was laid on the table for the balance of the session.

The House took up the report of the committee, on the Senate's bill to be entitled an act to authorize the payment of certain accounts therein specified.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee, on the Senate's bill to be entitled an act to authorize Isaac E. Bower, to build a bridge across Ichiwaynochaway, and Lynch to establish a ferry across Connasauga River.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee, on the senate's bill to be entitled an act to incorporate the Southern Central Agricultural Society of Georgia, and to confer certain powers and immunities on the same.

The report was agreed to. The bill was read the third time and passed.

Mr. Gartrell, from the Committee on Enrolment, reported the following bill, as duly enrolled, to wit:

An act to authorize the Justices of the Inferior Court of Lumpkin county, or a majority of them, to levy an extra tax, for the purpose of building a jail.

An act to wind up the affairs of the Central Bank of Georgia, and for other purposes therein named.

An act to authorize the Ordinary of the county of Upson to pay over to James Clark, Jacob McCloud and Hardaway Collier, the sum of their several accounts for teaching certain poor children in said county, in the year 1852.

An act to amend the 2d section of an act to authorize the construction of the Magnetic Telegraph, and providing for the protection of the same, approved December the 29th, 1847.

An act to appropriate money to Morgan Kemp, former Sheriff of Marion county, for services rendered by him in and about the sale of certain fractional lots of land in the county of Marion, for the State; and for the relief of William Hubbard, Tax Collector of Polk county, and John Gainey of Wilkinson county.

An act to change the name of Reuben C. Nail, of Appling county, to Reuben C. Wiley, and legitimatize the same.

An act to alter and amend the 8th section of an act entitled an act, to carry into effect the amended Constitution of this State, in reference to the Ordinaries of said State, assented to January the 21st, 1852, so as change the time of holding the regular terms of the Court of Ordinary, to the second Monday in each and every month, instead of the first Monday, as is now provided by law, so far as the county of Cherokee is concerned.

An act to incorporate the Monticello and Griffin Rail Road Company, and for other purposes therein named.

An act to amend an act, for the relief and support of widows and orphans, and of the estates of their deceased husbands and parents, assented to December the 29th, 1838.

An act for the relief of Jane Levy, wife of Lewis Levy, of Richmond county.

An act to authorize and require the Poor School Commissioners, of the county of Warren, to pay George W. Ray, out of the Poor School Fund of said county, the amount paid by him as Justice of the Peace, out of his individual funds, for teaching poor children in said county, in the year 1850.

An act to incorporate Andrew Female College, in Cuthbert.

An act to incorporate the Church Wardens and Vestry of the Protestant St. John's Free Chapel, in the city of Savannah.

An act to incorporate the Baptist Church, in the town of Elijah, in the county of Gilmer; Town Creek Church, Talking Rock Church, Ebenezer, Macedonia, Mountain Town Pleasant Hill, New Hope, Zion Hill, Sugar Creek, Lebanon Union, Mount Moriah, Bethel, Mount Zion and Cherry Log, in the county of Gilmer, and appoint Trustees for the same.

An act to authorize the Commissioners of the town of Louisville, to sell and dispose of such streets as they may think proper, and to make valid deeds to such streets as may have been sold by the previous Boards of Commissioners.

An act to extend the provisions of an act to amend the several acts now in force, regulating the fees of Magistrates and Constables in the State of Georgia, so far as relates to the counties of Bibb, Richmond, Monroe and Lee, and to provide for the mode of collecting the same, approved January the 22d, 1852, so far as to include within its provisions, the counties of Warren, Troup, Hancock and Meriwether.

An act to incorporate the town of Campbellton, in the county of Campbell, and to appoint Commissioners for the same, and to make permanent the public buildings; also, to appoint Trustees for Clayton Academy, in the county of Rabun, and to appoint Trustees for Villanow Academy, in the county of Walker, and to incorporate the same; to incorporate the village of Thomson, and confer certain powers upon the Commissioners thereof, and for other purposes therein mentioned.

An act to incorporate the Milledgeville Hotel Company.

An act to incorporate a Bank in the city of Dalton, to be called the Planters & Mechanics Bank of Dalton.

A resolution to elect State Printer.

A resolution to adjourn *sine die*.

The House took up the report on the Senate bill to be entitled an act to build and construct a Rail Road from the city of Dalton, in Whitfield county, to some fit and eligible point on the Alabama line, over the most practicable route from Dalton to Gadsden, on the Coosa River.

Mr. Redding moved to amend, by adding an additional section, making the company liable for the killing, or maiming, of stock, or passengers, through carelessness, and throwing the burthen of proof for exculpation, upon said company; which was agreed to.

The report as amended was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill of the Senate, to be entitled an act to amend an act, to incorporate the Waynesboro & Augusta Rail Road passed 31st December, 1838, and the act amendatory thereof.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill of the Senate, to be entitled an act to change the name of Griffin Collegiate Seminary.

The report was agreed to ; the bill was read the third time and passed.

The House took up the report of the committee on the Senate bill to be entitled an act to incorporate the Griffin Baptist Church.

The report was agreed to ; the bill was read the third time and passed.

The House took up the report of the committee on the bill of the Senate to be entitled an act to regulate the granting of new trials.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to provide for taking the answers of parties to suits in this State, when such parties reside without the limits of this State, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act, to regulate the Sessions of the Courts of Ordinary in the county of Camden.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act, to alter and amend the 2d Section of the 4th Article of the Constitution of this State, and to alter and amend said Constitution in all its parts, which may conflict with the provisions of this amendment.

The report, was agreed to. The bill was read the third time, and upon the question : "Shall this bill now pass ?"—the yeas and nays were required to be recorded, at the call of Mr. Stapleton, and are : yeas 19, nays 49.

Those who voted in the affirmative, are Messrs.

Adams	McCurdy,	A. J. Williams
Anderson	Phillips,	Williamson.
Fields,	G R Reid	Williford,
Gross,	Riley	Woodward,
Harrall,	Stapleton	Young
Hamilton,	W. A. Walton,	
Mangham	Walker	

Those who voted in the negative are, Messrs.

Alread	Armstrong,	Cameron,
Arnold,	Calloway	Clark

Benj. Cleveland.	Mays	W. R. Smith,
Clements,	McDonald,	W Smith
Crittenden,	McDougald,	Stephens,
Dawson,	McGregor,	L. S. Stewart,
Gartrell,	McLean	J. Stewart,
Griffin,	McMullin,	J. Taylor,
Harris,	Mobley	D W Taylor
Hardison,	Nichols	Turner
Henderson,	Pickett,	J. H. Walton,
Irwin	Poole,	West,
Keith .	Redding,	Whitworth
Latham	M. Reid,	H L Williams
Linn,	Richardson,	Yopp.
Maxwell,	Rumph,	
Manor	Shewmake,	

So the bill was lost.

The House took up the Senate bill to be entitled an act to alter and amend an act entitled an act to compel all persons, taking up runaway slaves, to deliver them up to jailors and for other purposes therein mentioned assented to the 22d February 1850.

The report was disagreed to. The bill was read the third time and lost.

The House took up the report on the Senate bill, to be entitled an act to amend the act relative to Ordinaries.

The report was disagreed to; and the bill was read the third time and lost.

The House took up the report of the committee on the bill to be entitled an act to authorize his Excellency the Governor, to subscribe for stock in the North East rail road Company.

Mr Phillips offered a substitute in lieu of the original bill, which was received.

Mr. Riley called the previous question—which call was sustained and the main question ordered to be put.

Upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded, at the call of Mr. Phillips, and are : yeas 15, nays 53.

Those who voted in the affirmative are Messrs.

Adams,	McDonald,	Win. Smith,
Benj. Cleveland,	Phillips,	L S Stewart
Dawson,	Pickett,	D. W Taylor
Latham	Poole,	Walker,
McCurdy,	Richardson,	West,

Those who voted in the negative are, Messrs. •

Alread,	Henderson,	Rumph,
Anderson,	Irwin,	Shewmake,
Arnold,	Keith,	W. R Smith,
Armstrong,	Mangham,	Stapleton,
Alloway,	Masters	J Stewart
Ameron	Maxwell,	J. Taylor,
Bark,	Manor,	Turner,
Elements	Mays,	J. H. Walton,
Rittenden,	McDougald,	W A. Walton,
Fields,	McGregor	Whitworth,
Artrell,	McLean,	A J Williams
Riffin,	McMullin,	H L Williams
Ross,	Mobley	Williamson,
Larris,	Nichols	Williford
Larrall	Redding,	Woodward
Lays,	G. R. Reid,	Young.
Lardison,	M. Reid,	Yopp.
Lamilton,	Riley,	

So the bill was lost.

On motion of Mr. McDougald the House took up the reconsidered bill to be entitled an act, to alter and change and amend the 3d Section of the 1st Article of the Constitution of this State, by striking out the word "biennially," and inserting in lieu thereof the word "annually."

The report, was agreed to, and upon the question "Shall his bill now pass?" the yeas and nays were required to be recorded—at the call of Mr. Alread—and are: yeas 38, nays 30.

Those who voted in the affirmative are, Messrs.

Adams,	Irwin,	Shewmake,
Alloway,	Mangham,	W Smith
Ameron,	McCurdy,	Stapleton,
Bark	McDougald	J Stewart,
Elements,	McDougald,	L S Stewart
Rittenden,	McLean,	J Taylor
Riffin	McMullin,	D W Taylor
Ross,	Nichols	West.
Larris	Phillips,	A J Williams
Larrall,	Poole	H. L. Williams,
Lays,	G. R. Reid,	Woodward
Lardison	Richardson,	Young,
Lamilton,	Rumph	

• Those who voted in the negative are, Messrs.

Alread,	Latham	W R Smith
Anderson,	Linn	Stephens
Arnold	Manor,	Turner,
Armstrong,	Mays	W.A. Walton,
Benj. Cleveland,	McGregor,	J. H, Walton,
Dawson	Mobley,	Walker.
Fields,	Pickett,	Whitworth
Gartrell,	Redding,	Williamson,
Henderson	M. Reid,	Williford,
Keith	Riley	Yopp.

There not being a constitutional majority, required to change the constitution, the bill was lost.

Mr. Phillips offered the following resolution, which was taken up read and adopted.

Whereas various, bonds, Attorney's receipts, counterfeit bills, &c., found in the treasury, and which have been reported upon, by the Treasurer and Finance committees from year to year, and whereas they are known to be utterly worthless, therefore :

*Resolved by the Senate and House of Representatives of the State of Georgia in General Assembly met,* That His Excellency the Governor, together with the Treasurer and Comptroller General be and they are hereby authorized and required to make a bonfire, or otherwise destroy said valueless bonds notes, receipts, counterfeit money &c; and that the treasurer be credited by the Comptroller General with the amount of the same.

Mr. Phillips offered the following resolution, which was taken up, read and adopted.

*Resolved by the Senate and House of Representatives of the State of Georgia in General Assembly met,* That the Comptroller General be, and he is hereby required to attach to his biennial report a tabular abstract, of the value of the taxable property of each county, as given in by the receivers of Tax returns, and that the same be arranged in alphabetical order and correctly footed up.

On motion of Mr. Riley the House adjourned until half past 9 o'clock, to-morrow morning,

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### WEDNESDAY FEBRUARY 15th, 1854.

The House met pursuant to adjournment.

Mr. Ward moved to reconsider so much of the Journal of yesterday as relates to the rejection of a bill to be entitled an act to define an act relating to commissioners of Pilotage for Savannah River, passed in 1847



Upon which motion the yeas and nays were required to be recorded, and are : yeas 42, nays 48.

Those who voted in the affirmative are, Messrs

Adams,	W P. Harden,	Phillips
Andrews	Hays,	Poole
Arnold	Hawkins,	Powell,
Brown,	Headen	Redding,
W. C. Cleveland,	Hendrick	G. R. Reid
Clements,	Irwin,	R. A Robinson,
Cody,	Latham.	W R. Smith,
Crawford,	Linn	Stokes
Crittenden	Mangham,	J Taylor
Eberhart	Mays	D W Taylor
Fields,	McComb,	Thornton
Fish	McDougald,	Turner,
Gartrell	Moughon,	Whitworth,
Grant	Nichols,	H L Williams

Those who voted in the negative are Messrs.

Alread,	Keith,	J C Smith
Anderson,	Leverett	W. Smith,
Armstrong,	Maxwell	Stapleton
Calloway	Manor	Stephens,
Cameron,	McGregor,	L S Stewart
Benj. Cleveland,	McLean	J. Stewart
Dawson,	McMullin,	Strickland,
Gross.	Pickett	J. H. Walton,
J. Hardin,	Powers,	W A. Walton.
Harris,	M. Reid,	Walker
Harrall,	Richardson	West
Hardeman,	Riley	A J Williams
Hardison,	Rowell	Williamson,
Henderson,	Rucker	Williford
Hudson.	Rumph	Woodward.
Jones,	Shewmake	Young,

So the motion was lost.

The following message was received from the Senate, by Mr. Moore, their Secretary :

*Mr. Speaker*—The Senate has passed the following bills, of the House of Representatives, to wit :

A bill to incorporate the Oglethorpe Mutual Loan Association in the city of Savannah. Also,

A bill to incorporate the town of Fairburn, in the counties of Fayette and Campbell. Also;

A bill to amend the several acts now of force in relation to the Muscogee railroad company, so far as to change the time for the election of President and Directors of said company, and for other purposes. Also,

A bill to incorporate Jasper Lodge No. 50, of Free and accepted masons, at Monticello, in the county of Jasper.— Also,

A bill to incorporate the Marietta Fire Company, and to grant them certain privileges. Also,

A bill to authorize the proper officer to issue a grant for traction No. 2, in the 33d district of originally Lee county, to the *bona fide* holder of the certificate, under certain restrictions. Also,

A bill to incorporate the Wilkes plank or railroad company. Also,

A bill to incorporate a Fire Company in the city of Savannah, to be called by the name and style of "Young America."

The Senate has also passed the following bills of the House of Representatives, with amendments, in which they ask the concurrence of the House, to wit :

A bill to incorporate the Stockholders in the Montgomery Railroad company in the State of Georgia, and to give them the right to extend the Opelika Branch of their Railroad across the Chattahoochee river, and for other purposes. Also,

A bill to incorporate the Tocoah mining company, and for other purposes.— Also,

A bill to change the line between the counties of Houston and Dooly, so that lots of land Nos. 80 and 81, of the 3d District of Dooly county be included in the county of Houston, and for other purposes. Also,

A bill to compel persons living in the county of Wayne to give in and pay their taxes in said county for the property they may own in the State. Also,

A bill to repeal an act to extend the civil jurisdiction of Justices of the Peace in the city of Savannah, and to compel the Justices of the Peace and Constables in the county districts in the county of Chatham, to be residents of the districts of which they are elected, assented to 21st December, 1835, so far as the civil jurisdiction of the Justices of the Peace elected for the 1st, 2d, 3d and 4th Districts of the city of Savannah are concerned. Also,

A bill to allow Patrick Gaff. of Lee county, to establish a Ferry across Flint river on his own land, and for other purposes. Also,

A bill to incorporate the Washington and Petersburg railroad company. Also,

A bill to authorize the Governor to issue State bonds in lieu of the outstanding bonds of the Central Bank. Also,

A bill to amend an act to provide for the indigent deaf and dumb citizens of this State. Also,

A bill for keeping in repair the public roads of Burke county,

The Senate has also concurred in the resolution of the House of Representatives in relation to the payment of certain judgment creditors of the Bank of Darien, out of the proceeds of the sale of land in Mississippi belonging to the assets of said Bank.

Mr. Young moved to reconsider so much of the Journals of yesterday as relates to the rejection of the bill to be entitled an act to authorize the building and constructing of the Blue Ridge rail road company between the town of Clayton, in Rabun county, through the said county, and the county of Union to the Tennessee or North Carolina line, and for other purposes therein mentioned.

Mr. Alread called the previous question, which call was sustained, and the main question was ordered to be put.

Upon which motion, the yeas and nays were required to be recorded—at the call of Mr. Young—and are : yeas 56, nays 32.

Those who voted in the affirmative are Messrs.

Adams,	Hawkins,	G. R. Reid
Andrews	Hamilton	M. Reid,
Arnold	Headen	Richardson,
Armstrong	Hendrick	Rowell
Calloway,	Hudson,	Rucker
Cameron	Latham	Rumph,
Benj. Cleveland,	Leverett	Shewmake,
Clements,	Linn	J C Smith
Crawford,	Mays	Stapleton,
Crittenden	McComb	J. Stewart
Dawson	McDonald,	Strickland,
Dubignon.	McDougald,	J. Taylor,
Eberhart	McLean,	D W Taylor
Gartrell,	McMullin,	West.
Griffin	Mobley	Whitworth.
Gross,	Paris,	Williamson,
J Hardin	Phillips	Woodward,
Harrall,	Poole,	Young.
Hays,	Powers.	

Those who voted in the negative are Messrs.

Alread,	W C. Cleveland,	Grant,
Anderson,	Cody,	W P Harden
Brown	Fields.	Harris,

Hardison,	Pickett	Turner
Henderson,	Powell	J. H. Walton
Irwin,	Redding,	W A Walton
Mangham,	Riley	Walker,
Maxwell,	R. A. Robinson,	A J Williams
Manor,	W R Smith,	H. L. Williams,
Moughon	Stephens,	Wilson,
Nichols	L S Stewart,	

So the motion was agreed to.

Mr Crawford moved to take up the bill; which was agreed to.

Mr. Redding offered to amend by an additional section, making said company liable for all damages done to stock or passengers, and throwing the burden of exculpatory proof upon the company; which was adopted.

Mr. Crawford called for the previous question; which was upon the passage of the bill.

Upon which motion, the yeas and nays were required to be recorded—and are : yeas 36, nays 47.

Those who voted in the affirmative are, Messrs.

Adams,	Hendrick	Rucker
Benj. Cleveland,	Hudson	Rumph,
Clements	Latham	Shewmake,
Crawford,	Leverett,	J. C. Smith,
Crittenden	Linn,	Stapleton,
Dawson	McComb	J Stewart,
Dubignon	McDonald	Strickland,
Harrall,	McMullin,	D. W. Taylor,
Hardeman	Paris,	West
Hawkins,	Phillips	Williamson
Hamilton,	G. R. Reid.	Williford,
Headen,	M. Reid,	Young,

Those who voted in the negative are, Messrs.

Alread,	Gartrell,	Manor,
Anderson	Grant	Mays
Armstrong,	Griffin	McLean
Brown,	Gross,	Mobley,
Cameron	W P Harden	Moughon
W. C. Cleveland,	Harris,	Nichols,
Cody	Henderson,	Pickett
Eberhart	Irwin,	Poole,
Fields,	Jones	Powell
Fish	Mangham,	Redding,

Richardson,	Stephens	Walker,
Riley	L. S. Stewart,	Whitworth,
R A Robinson	J. Taylor,	H L Williams
Rowell,	Turner,	Wilson
W. R. Smith,	J. H. Walton,	Woodward,
	W. A. Walton,	

So the bill was lost.

On motion of Mr. Poole, the House went into Committee of the Whole, upon the bill to be entitled an act for the appropriation of money for the payments of the debts of the Penitentiary. contracted prior to 1st January, 1854, and for other purposes therein mentioned.

After some time spent therein, the committee rose and reported the bill back to the House with the amendment.

The report, as amended, was agreed to ; the bill was read the third time.

Upon the question " Shall this bill now pass ? " the yeas and nays were required to be recorded, at the call of Mr. Riley, and are : yeas 62, nays 23.

Those who voted in the affirmative are Messrs.

Andrews	Hamilton,	Redding
Arnold	Headen,	M Reid,
Armstrong,	Henderson,	R A Robinson,
Brown,	Hudson,	Rowell
Calloway,	Latham	Rumph,
Benj. Cleveland,	Leverett,	J C Smith,
W. C. Cleveland,	Linn,	W R. Smith,
Clements	Mangham	W Smith
Crawford,	Manor	J. Stewart,
Crittenden	Mays	Stokes
Eberhart,	McComb	Strickland
Fields	McDonald,	J. Taylor,
Fish	McDougald,	D. W. Taylor,
Gartrell,	McGregor	Turner,
Grant,	McMullin,	W A Walton
Griffin,	Moughon	J. H. Walton,
W. P. Harden,	Paris	Walker,
Harrall,	Phillips,	H L Williams
Hays,	Pickett	Wilson
Hawkins	Poole,	Young,
Hardison	Powell,	

Those who voted in the negative are, Messrs.

Alread,	Cameron	Dawson
Anderson,	Cody,	Gross,

Harris,	G. R. Reid,	Thornton
Keith,	Riley,	Whitworth
Maxwell	Shewmake,	A J Williams
McLean	Stapleton	Williford
Mobley,	Stephens,	Woodward,
Nichols,	L S Stewart,	

So the bill was passed.

On motion of Mr. Poole, the same was directed to be sent forthwith to the Senate.

The House took up the Senate amendment to the bill to be entitled an act for the relief of John F Green, and concurred in the same.

The House took up the amendments of the Senate, to the bill to be entitled an act for the keeping in repair the public roads of Burke county, and concurred therein.

The House took up the Senate amendment to the bill to be entitled an act for the removal of the Seat of Government to Macon, and for other purposes.

Mr. Hardeman moved to strike out the words "and the places voted for ;" which motion was lost.

The report, as amended, was agreed to ; the bill was read the third time and passed.

The House took up the Senate amendments to the bill to be entitled an act to incorporate the stockholders of the Montgomery Rail Road Company, in the State of Georgia, to give them the right to extend the Opelika Branch of their Rail Road across the Chattahoochee River, and to locate and use a depot on their own land, and for other purposes, and concurred in the same.

The House took up the Senate amendment to the bill to be entitled an act to incorporate the Tocoah Mining Company, and for other purposes, and concurred in the same.

The House took up the Senate amendment to the bill to be entitled an act to authorize the Governor to issue State Bonds in lieu of the outstanding Bonds of the Central Bank, and to provide for the issue of certain other bonds, and concurred in the same.

The House took up the Senate amendments to the bill to be entitled an act to compel persons living in the county of Wayne to give in and pay their taxes in said county for the property they may own in the State, and concurred in the same.

The House took up the Senate amendments to the bill to be entitled an act to incorporate the Washington and Petersburg Rail Road Company, and concurred therein.

The House took up the amendments of the Senate bill to be entitled an act to alter and change the line between the

counties of Houston and Dooly, so that lots of land Nos. 80 and 81, of the 3d District of Dooly county, and the residences of Jas. Smith and W. L. Griffin, of Dooly county, be included within the county of Houston, and concurred therein.

The House took up the Senate amendments to the bill to be entitled an act to repeal an act entitled an act to extend the civil jurisdiction of the Justices of the Peace in the city of Savannah, and to compel Justices of the Peace and Constables in the county of Chatham to be residents of the districts for which they are elected, assented to the 21st day of December, 1835, so far as the civil jurisdiction of the Justices of the Peace elected for the 1st, 2d, 3d and 4th Districts, G. M., in the city of Savannah, are concerned. Mr. Ward offered the following amendment to the Senate amendment of the caption, to wit:

“And to establish rates of fees of Magistrates and Constables in the city of Savannah.”

The amendment of Mr. Ward was agreed to, and the Senate amendment was concurred in.

The House went into Committee of the Whole—Mr. Redding in the Chair, on the bill to be entitled an act to refund the taxes collected from the Rome Rail Road Company.

After some time spent therein the committee rose and reported the bill back to the House without amendment.

The report was agreed to; the bill was read the third time and lost.

The House took up the report on the Senate bill to be entitled an act to charter the Charleston and Savannah Rail Road, and to authorize suits against the same and certain other rail road companies therein specified.

Mr. Redding offered to amend by making said company liable for damages or killing of stock and passengers, throwing the burthen of exculpatory proof on the company, and that the stock in said rail road company shall at all times be liable to taxation, which was accepted.

The report, as amended, was agreed to; the bill was read the third time and passed.

On motion of Mr. Griffin, the House then adjourned until half-past 2 o'clock, P. M.

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### HALF-PAST TWO O'CLOCK, P. M.

The House met pursuant to adjournment, and proceeded to read Senate bills a third time.

The House took up the Senate bill to be entitled an act to authorize and require the Governor to appoint four additional trustees for the Deaf and Dumb Asylum, at Cave

spring, and to authorize the said Asylum to receive pupils between the ages of seven and twenty-four years, and for other purposes therein mentioned.

The report was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the Senate bill to be entitled an act to incorporate the Georgia Western Rail Road Company, and to confer on the same certain powers and privileges therein mentioned.

Mr. Hardeman moved to strike out the 6th section of the bill, which motion was sustained.

The report, as amended, was agreed to; the bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to alter and change the line between the counties of Tattnall and Liberty, so as to change the residence of Everett M. G. Stubbs, a citizen of Liberty county, to the county of Tattnall.

Mr. Crawford offered the following amendment, which was agreed to :

*"And be it further enacted by the authority aforesaid, That the line between the counties of Cass and Paulding be and the same is hereby changed, so as to include lots of land Nos. 33, 34 and 40, in the 18th District of the 3d section, now in Paulding county, in the county of Cass.*

The report, as amended, was agreed to; the bill was read the third time and passed.

Leave of absence was granted to Mr. Strickland on account of the sickness of his family.

The following message was received from the Senate by Mr. Moore, their Secretary.

*Mr. Speaker*—The Senate has receded from its amendment to the bill of the House of Representatives, to refund certain monies to the county of Cobb.

The Senate has also agreed to a resolution that the State of South Carolina be respectfully requested to consider the claims which the city of Augusta has to the bridge across the Savannah River in the limits of that State, and to have rescinded the grant to Jones & Kennedy, made at their last session.

The House took up the Senate bill to be entitled an act to incorporate the Marietta Guards, and to grant certain immunities and privileges to the members of the same.

The report was agreed to. The bill was read the third time and passed.

The Select Committee to whom was referred the Augusta Bridge case, made the following report, which on motion of Mr. Walker, was taken up, read and adopted :

The Select Committee to whom was referred the memorial of the City Council of Augusta, in relation to the Bridge



across the Savannah River at Augusta, have had the same under consideration and submit the following report :

It is undeniable that until the year 1848, the City Council of Augusta owned the Bridge in said city, and the land on both sides of the Savannah River constituting the abutments, with the right to collect toll, under grants from the States of Georgia and South Carolina, and which had been sustained by the Appellate Courts of South Carolina, and the United States. The same rights still exist in Georgia, and the City Council still own in fee the abutment in South Carolina, holding the same under a conveyance made by authority of the said State, on the 24th December, 1830.

In December 1848, the charter for the Bridge, granted by South Carolina, having expired. the Legislature of that State, re-chartered the Bridge, and vested it in Shultz and McKinnie, with the proviso that they should not be allowed to collect toll, until the litigation then pending in the Supreme Court of the United States in relation to said Bridge, should be determined against the City Council of Augusta. (That litigation was determined in favor of the City Council.)

In December 1849, the Legislature amended the said grant to Shultz and McKinnie, by authorizing them to collect toll, provided the collecting of said toll should not subject the South Carolina Rail Road Company or the community, to the payment of double toll.

The Court of Errors of said State, subsequently in a case between the South Carolina Rail Road Company, and Jones and Kennedy, the assignees of Shultz and McKinnie, decided that toll could not be collected under the amended grant. So the matter remained, (so far as effective action by the Legislature was concerned,) until December, 1853, when the Legislature of South Carolina, again amended the grant, by authorizing Jones and Kennedy to collect toll, *provided however*, that nothing therein contained, should in any wise impair or prejudice any right or property claimed by the City Council of Augusta, in respect to the one-half of the material structure of the said Bridge, within the territorial limits of said State.

This proviso admits that Augusta owns the structure, and the deed from South Carolina's Agent, conveys land on the South Carolina bank of the River, to be used, held and enjoyed solely and exclusively for the purpose of the bridge, abutment and a highway, together with all and singular, the rights, members and appurtenances, &c., to have and to hold forever, with full covenant of warranty.

Now without stopping to consider the claim of jurisdiction, set up by South Carolina to one-half of the River, or denying her alledged sovereign authority in the premises, (which matters are to be determined hereinafter between the two States,) the question naturally presents itself; is it right and

just, or in anywise consistent with the honor of that State, to legislate to the injury of the owners of a property, part conceded by her to be theirs, and part actually paid for to her? No one in that honored State it is believed, will answer in the affirmative.

Why then was it done? The committee believe that the grant last made, was given without the attention of the members of the Legislature being drawn to the true state of the rights of Augusta; perhaps at the close of the session, and in the haste which often precedes an adjournment, and do not doubt that upon application made, they will rescind the action of the last session.

In this view, your committee recommend the adoption of the following resolution:

*Resolved*, By the Senate and House of Representatives of the State of Georgia, that the Legislature of South Carolina, be and they are hereby respectfully requested to consider the claims which the city of Augusta, has to the Bridge across the Savannah River, and its appurtenances within the limits of the State, and to repeal, or have rescinded, the grant to Jones and Kennedy, made at their last session.

*Resolved*, That his Excellency the Governor, be requested to forward a copy of the foregoing report, and of these resolutions, to the Governor of South Carolina, to be laid before the Legislature of that State.

The House took up the Senate bill to be entitled an act to compensate Petit Jurors in the county of Heard, and provide a fund for the same.

The report was agreed to. The bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to incorporate the Chattahoochee Ridge Rail Road Company,

Mr. Redding moved to amend, by an additional section, making said Rail Road Company liable for all damages done to, or the killing of, all stock and passengers on said Rail Road, the burthen of exculpatory proof to rest on the company; also, subjecting said Rail Road Stock to taxation, as other Rail Roads; which was adopted.

The report, as amended, was agreed to. The bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to add lots, nos, 85, 86, in the 7th District of originally Baldwin, now Jones, to the county of Bibb; also, to change the line between the counties of Franklin and Hart, and for other purposes.

Mr. Poole moved to amend by striking out "Joseph Jackson," in the 2d Section, and inserting in lieu thereof, "P. Bennet;" which was agreed to.

The report as amended, was agreed to. The bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to incorporate the Orphan's Home of the Protestant Episcopal Church, in Chatham county.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to amend and declare the true intent and meaning of an act, passed during the present session of the Legislature, entitled an act, to lay out and organize a new county from the counties of Franklin and Elbert, and to provide for the compensation of the Grand and Petit Jurors, and for other purposes therein mentioned.

Mr. Martin offered the following amendment, which was adopted, to wit :

*"And be it further enacted, That any two or more Justices of the Inferior Court of Baker county shall have authority at any time after the passage of this bill, to meet at the Court House in said county, and draw a sufficient number of Grand and Petit Jurors for the next succeeding spring term of the Superior Court of said county, to supply the deficiency created in those already drawn by the formation of a new county, which Jurors shall be served at any time before the session of said Court.*

The report, as amended, was agreed to. The bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to extend the charter of the Mechanics Bank, and to alter and amend the act incorporating the same.

Mr. McDougald moved to amend, by adding an additional section, extending the charter of the Bank of Milledgeville, for the term of ten years, from and after the expiration of the time now limited by law, for its duration ; which was agreed to.

Mr. Ward moved to amend, by adding an additional section, to alter and amend the 6th Section of an act, incorporating the Mechanics Saving Bank of the city of Savannah, so as to entitle each and every stockholder to one vote, for every share he or she or they may hold ; which was agreed to.

The report, as amended, was agreed to. The bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to incorporate Bellville Factory.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to incorporate the Submarine and Terrestrial Telegraph Company.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to amend an act passed on the 26th day of December, 1837, entitled an act to regulate the mode of partitioning lands and tenements in certain cases in the State of Georgia.

The report was agreed to. The bill was read the third time, and on motion of Mr. McDougald, was postponed indefinitely.

The House took up the Senate bill to be entitled an act to amend the act of December 4th, 1799, in relation to the manner of arriving at the damages sustained by laying out of public roads in this State, and for other purposes, so far as relates to the county of Floyd.

The report was agreed to. The bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to regulate the Pilotage of the port of Darien, and point out the mode of electing Commissioners, and establish fees of Pilots, and for other purposes.

Mr. Hamilton moved to amend, by striking out "February," in the 1st Section, and insert in lieu thereof, "April;" which was agreed to.

The report, as amended, was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to repeal an act entitled an act for the relief of a portion of the citizens of Wayne county, approved the 22d day of December, 1847.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to alter and amend the 3d Section of the 3d Article of the Constitution of the State of Georgia.

The report was agreed to. The bill was read the third time. It being a bill to change the Constitution, a majority of two-thirds was necessary to pass the bill; the yeas and nays were therefore required to be recorded on the passage of the bill, and are: yeas 71, nays 4.

Those who voted in the affirmative are Messrs.

Adams	Clements.	W. P. Harden.
Alread	Crawford	Haynie,
Anderson	Crittenden,	Harris,
Arnold	Dawson	Harrall,
Calloway,	Eberhart,	Hardeman
Benj. Cleveland,	Fields,	Hays,
W. C. Cleveland,	Gartrell.	Hawkins

Hardison	McMullin,	L. S. Stewart,
Hamilton,	Mobley	J. Stewart,
Headen,	Nichols.	Stokes,
Henderson,	Paris	D. W. Taylor
Hudson	Phillips.	Thornton,
Irwin,	Pickett	Turner,
Jones,	Peole	J. H. Walton,
Keith,	Redding,	W A Walton
Latham,	G. R. Reid,	Walker,
Leverett,	Richardson,	Whitworth,
Maxwell	Riley	A J Williams
Manor,	Rowell	H. L. Williams,
Mays	Rucker	Williamson.
McCurdy,	Rumph,	Wilson,
McDonald	Shewmake,	Woodward,
McDougald.	W. Smith,	Young,
McLean,	Stephens,	

Those who voted in the negative are Messrs

Andrews,	Mangham	W R. Smith
Cody,		

So the bill was passed by a Constitutional majority.

The House took up the Senate bill to be entitled an act to amend the Judiciary act of 1799, so far as to perfect service in actions of ejectment for the recovery of land and mesne profits, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to extend the provisions of the acts relating to lunacy and idiocy to the case of persons incompetent to conduct their own business, and for other causes.

On motion of Mr. McDougald, the same was laid on the table for the balance of the session.

The House took up the Senate bill to be entitled an act to authorize the Trustees of the Bibb County Academy to sell or lease said building and lands.

The report was agreed to. The bill was read the third time and passed.

The House took up the Senate bill to be entitled an act requiring testamentary Trustees to make annual returns.

On motion of Mr. McDougald, the same was laid on the table for the balance of the session.

The House took up the Senate bill to be entitled an act in addition to and amendatory of the several attachment acts now of force in this State; and upon the question of agreeing to the report, the yeas and nays were required to be re-

corded—at the call of Mr. Gartrell—and are : yeas 41, and nays 67.

Those who voted in the affirmative are, Messrs.

Eberhart,	W. Smith,	Whitworth,
Gartrell,	L. S. Stewart,	H. L. Williams,
Hawkins,	J. Stewart,	Young.
McGregor	Stokes,	

Those who voted in the negative are, Messrs.

Adams,	Hamilton	G. R. Reid,
Alread,	Headen,	M. Reid,
Andrews	Henderson	Richardson,
Arnold,	Hudson,	Riley,
Armstrong	Irwin	Rowell
Brown	Keith,	Rumph,
Calloway,	Latham.	Shewmake
Cameron	Leverett,	W. R. Smith,
Benj. Cleveland,	Linn,	Stapleton
W C Cleveland	Mangham	Stephens,
Cody,	Maxwell,	Strickland,
Crittenden	Mays	J. Taylor,
Dawson	McCurdy,	D. W. Taylor
Fields,	McDougald,	Thornton
Fish,	McLean	J H Walton,
Grant,	McMullin	W. A. Walters,
Griffin,	Mobley,	Walker
W P. Harden,	Moughon	A. J. Williams
Haynie	Nichols,	Williamson,
Harris,	Paris,	Wilson,
Harrall	Phillips,	Woodward.
Hardeman,	Pickett	
Hardison	Redding,	

So the report was disagreed to, and the bill was lost.

The House took up the Senate bill to be entitled an act to alter an act to prevent frauds in elections in this State, &c., approved 27th January, 1852, so far as relates to the oath of the Superintendents.

The report was disagreed to. The bill was read the third time and lost.

The House took up the Senate bill to be entitled an act to add certain lots of land therein named to the county of Sumter.

The report was disagreed to. The bill was read the third time and lost.

The House took up the Senate bill to be entitled an act to amend an act entitled an act to incorporate the city of Oglethorpe, and for other purposes, approved January 22d, 1852.

The report was agreed to. The bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to change the name of the Perry Baptist Female Seminary, located at Perry, Houston county, Georgia, to that of Houston Female College, and for other purposes therein named.

The report was agreed to. The bill was read the third time and passed.

The House took up the Senate bill to be entitled an Act to incorporate the German Fire Company of Savannah.

The report was agreed to. The bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to amend an act to authorize the incorporation of Joint Stock Companies for the construction of Macadamized and Plank Roads, passed 23d February, 1850.

The report was agreed to. The bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to incorporate the town of Vienna, Dooly county, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

The House took up the Senate bill to be entitled an act for the relief of Morgan Morris, of Warren county.

The report was agreed to. The bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to charter the Savannah and Branchville Rail Road.

Mr Redding moved to amend, by adding, "That the stock of said Company shall at all times be subject to taxation;" which was agreed to.

The report, as amended, was agreed to. The bill was read the third time and passed.

Mr. Gartrell, from the Committee on enrolment, reported the following bills as duly enrolled, to wit:

A bill to be entitled an act to authorize Justices of the Inferior Court to grant orders to hold to bail, in cases arising *ex delicto*.

A bill to be entitled an act amendatory of an act to authorize the Governor to appoint fit and proper persons to sell the undrawn lots of land in the land lotteries of this State, and for other purposes therein mentioned, approved 30th December, 1847.

A bill to be entitled an act to authorize Christian Rau-

schenburg, of Whitfield county. Tomlinson F. Bruster, a minor, of Cherokee county, and others therein named to practice Medicine and Surgery in this State, without license.

A bill to be entitled an act to incorporate a Company in the county of Columbia and State of Georgia, to be known by the name and style of the Columbia Mining Company, and to grant certain privileges thereto, and for other purposes therein mentioned.

A bill to be entitled an act to incorporate the Savannah Hotel Company.

A bill to be entitled an act to incorporate Jasper Lodge, No. 50, of Free and Accepted Masons, of the town of Monticello, Jasper county

A bill to be entitled an act to authorize the proper officers to issue a grant for fraction number two, in the 33d District of originally Lee county, to the *bona fide* holder of the certificate for the same, under certain restrictions therein mentioned.

A bill to be entitled an act to incorporate the Oglethorpe Mutual Loan Association, in the city of Savannah.

A bill to be entitled an act to amend the several acts of the General Assembly in regard to the election of Public Printer, and more particularly to prescribe the duties, liabilities and compensation of said officer, and for other purposes.

A bill to be entitled an act to increase the compensation of the Tax Receiver of the county of Chatham.

A bill to be entitled an act for the protection in certain cases of planters and cotton sellers, within the State of Georgia.

A bill to be entitled an act to compel parties plaintiffs in Justices Courts to pay the cost before taking out a *cupias ad satisfaciendum*, and to provide for the return of commissions by mail.

A bill to be entitled an act to alter, amend and explain Section 4th of an act entitled an act for preventing frauds and perjuries.

A bill to be entitled an act to carry into effect an act entitled an act respecting bastardy and other immoralities, approved December 16th, 1793, and for other purposes.

A bill to be entitled an act to incorporate a bank in the town of Fort Gaines, to be called the South Western Bank of Georgia, and to authorize the establishment of one or more branches of the same.

A bill to be entitled an act to amend the several laws now in force in relation to free persons of color and to exonerate and discharge certain free persons of color from all pains, penalties and forfeitures heretofore incurred, and to which they are subject and liable.

A bill to be entitled an act to authorize teachers of poor



children in the counties of Warren, Crawford, Chattooga, McIntosh, Irwin and others therein named, to furnish books and stationery to such children, and to provide for the payment of the same.

A bill to be entitled an act to amend the 2d Section of an act entitled an act to repeal the 48th Section of the 14th Division of the Penal Code, in so far as it relates to capital cases, and add a new section in lieu thereof, assented to December 27th. 1843.

A bill to be entitled an act to add an additional section to the 13th Division of the Penal Code of the State of Georgia, and to provide for the punishment of free white persons for aiding or assisting negroes or free persons of color, lawfully committed or detained in any jail, to escape therefrom.

A bill to be entitled an act to amend an act entitled an act to compel the several Banks of this State to redeem their liabilities in specie, and to provide a forfeiture of such as may refuse, assented to on the 18th day of December 1840. and an act entitled an act for the relief of certain Banks which have suspended specie payments, against which Judicial proceedings have been instituted for the forfeiture of their charters, assented to on the 10th day of December. 1841, also, an act further amendatory of said acts, assented to on the 13th day of December, 1842, and also an act amendatory of the before recited acts, assented to on the 23d of December 1843.

A bill to be entitled an act to incorporate a Fire Company, in the city of Savannah, to be known by the name and style of Young America.

A bill to be entitled an act to lay out and form a new county from parts of the counties of Early and Randolph, and to organize the same, and to attach it to the 2d Congressional District and to the South Western Judicial Circuit.

A bill to be entitled an act to amend an act entitled an act to incorporate the Ogeechee Plank Road Company, and to provide for the punishment of certain offences therein named.

A bill to be entitled an act to amend an act entitled an act to incorporate the town of Marietta, in the county of Cobb; also, to enlarge the boundary of said town, and incorporate the same, and for other purposes therein specified, approved January 22d, 1852, so as to give the election of Marshal of the city of Marietta to the people, to authorize their removal from office in certain cases therein named, and in those cases make them ineligible to re-election; also, to incorporate the town of Conyers, in the county of Newton, and to appoint commissioners for the same, and for other purposes.

A bill to be entitled an act amendatory of and additional to an act to alter and amend an act to provide for the compensation of Grand Jurors of Lumpkin county, passed December

the 7th, 1843, and also to provide for the compensation of Petit Jurors in the Superior and Inferior Courts of said county, and also amendatory of and additional to an act to prescribe the mode of compensating the Jurors of the Superior and Inferior Courts of the county of Lumpkin, Habersham and Murray, approved January 15th, 1852, so far as concerns said county of Lumpkin, and for other purposes therein mentioned.

The House took up the Senate bill to be entitled an act to incorporate the Savannah Rabun Gap and Dahlonega Rail Road Company.

Mr. Riley moved to lay the bill on the table for the balance of the session ; which was agreed to.

The House took up the Senate bill to be entitled an act to authorize the Judges of the Superior Courts, as Chancellors, to make certain orders and decrees.

The report was agreed to. The bill was read the third time and passed.

The House took up the bill of the Senate to be entitled an act to require the Receivers of Tax Returns in the several counties of this State to ascertain the number of children in their respective counties, between the ages of eight and sixteen years, and for other purposes.

On motion, the House then adjourned, until half-past seven o'clock, P. M.

#### HALF PAST SEVEN O'CLOCK, P. M.

The House met pursuant to adjournment, and proceeded to read bills of the Senate the second time.

The following bills of the Senate were taken up, read a second time and ordered to be committed for a third reading, to wit :

A bill to be entitled an act to amend the processioning laws of this State.

A bill to be entitled an act to apportion the Representatives among the several counties of this State, according to the 7th Section of the 1st Article of the Constitution.

A bill to be entitled an act to authorize James Herty, of Baldwin county, to sell by retail his present stock of Drug and Medicines, without incurring penalty or forfeiture.

A bill to be entitled an act to add an additional section to the 13th Division of the Penal Code.

A bill to be entitled an act to prevent deer killing, at certain periods of the year, in the county of Burke.

A bill to be entitled an act to admit to record certain instruments, and for other purposes therein named.

A bill to be entitled an act for the relief of Jennett

Smith, of Houston county, and Mileah Lodtman, of Augusta, and Lenier M. Patillo, of Cobb county.

A bill to be entitled an act to alter and amend the 27th Section of the 10th Division of the Penal Code of this State.

A bill to be entitled an act to establish an election precinct at the usual place of holding the Justices Courts in the 148th District, G. M., in the county of Floyd, and to change the name and place of holding Justices Courts, and to establish election precincts in certain counties therein named.

A bill to be entitled an act to amend an act to incorporate an Insurance Company, to be called the Savannah Mutual Insurance Company; passed December 30th, 1847, and an act amendatory thereof, passed 23d February, 1850.

A bill to be entitled an act compelling the Tax Receivers and Collectors of the county of Jasper to visit the houses of all widows in said county, before returning them as defaulters.

A bill to be entitled an act to authorize the Inferior Courts of Lumpkin, Worth and Forsyth counties to levy an extra tax for county purposes.

A bill to be entitled an act to incorporate Rome Chapter No. 26, and Etowah Council No. 12, of Free and Accepted Masons, at the city of Rome, in Floyd county, and certain other Lodges therein named, and to extend the provisions of the act approved December 3d, 1805, to all societies, whether social, secret, masonic or by whatever named called, and to bestow upon them certain privileges and powers of bodies politic.

A bill to be entitled an act to amend the laws in relation to Deeds of Conveyance.

A bill to be entitled an act to lay out and organize the county of Hayne, from the county of Camden.

A bill to be entitled an act to repeal a portion of the Statute of the 32d, of Henry VIIIth, and for other purposes therein named.

A bill to be entitled an act to incorporate an Insurance Company, to be called the Savannah Mutual Insurance Company, passed the 30th December, 1848, and for other purposes therein named.

A bill to be entitled an act to alter and amend a part of the 1st section, 3d article of the Constitution.

A bill to be entitled an act to authorize amendments to be made to the short form of writs prescribed by the acts of 1847, 1849 and 1850, and for other purposes therein specified.

A bill to be entitled an act to reduce the Sheriffs' bond of this State, so far as Camden county is concerned.

A bill to be entitled an act to define the liability of executors, administrators, guardians and trustees, and for other purposes therein named.

A bill to be entitled an act to amend an act, incorporating Coosa River Steamboat Company.

A bill to be entitled an act to authorize the Commissioners of the Poor School Fund of Monroe county, to pay the accounts of teachers, for the tuition of poor children, for the years 1852 and 1853, not rendered in within the time prescribed by law.

A bill to be entitled an act to incorporate the Baptist Church at Sylvania, Scriven county, and the Bluff Spring Camp Ground, in Pike county.

A bill to be entitled an act to authorize the Mayor and Council of the city of Atlanta, to enclose a portion of the State square, in said city, to be used as an open park.

A bill to be entitled an act to make it penal to cut or haul wood or timber, offlands in Bibb county, without consent of the owner, or tenant in possession.

A bill to be entitled an act to authorize and require the Inferior Court of Polk county, to examine and allow to the Tax Collector of said county, their insolvent lists, in lieu of the Grand Juries of said county.

A bill to be entitled an act to change the line between the counties of Greene and Taliaferro.

A bill to be entitled an act to authorize the election of Commissioners to select a site for a new court house, and for other purposes therein named.

A bill to be entitled an act, amendatory of an act, to incorporate the town of Americus, in the county of Sumter passed December the 22d, 1852, and for other purposes.

A bill to be entitled an act to repeal an act, to alter and amend the road laws, so far as they refer to McIntosh county, and for other purposes therein specified.

A bill to be entitled an act to authorize land owners on the River Altamaha and Finholloway Creek, in Wayne county to build lumber yards, or wharves, on said river and creek and charge for the use of the same.

A bill to be entitled an act for the relief of John Montgomery and William A. Lewis, of Forsyth county, and certain free persons of color, in the county of Columbia, and for other purposes.

A bill to be entitled an act to incorporate the Georgia & Florida Steam Packet Company.

A bill to be entitled an act to amend the laws relative to electing Judges of the Superior Courts of this State.

A bill to be entitled an act to alter and amend the 8th section of the 4th division of the Penal Code of this State.

A bill to be entitled an act to require executors to give bond in certain cases.

A bill to be entitled an act to repeal an act entitled an act to regulate fees of Attorneys and Solicitors General, and for other purposes.

A bill to be entitled an act to change the names of certain persons therein named, and for other purposes.

A bill to be entitled an act to incorporate the town of Barnesville, in Pike county, and for other purposes.

A bill to be entitled an act to incorporate the Madison & Gordon Telegraph Company.

A bill to be entitled an act to repeal an act, to alter and amend the road laws of this State, so far as relates to the county of Thomas.

A bill to be entitled an act to regulate the fees of the Magistrates and Constables in the county of McIntosh, and provide for the collection of the same.

A bill to be entitled an act to authorize the Georgia Rail Road & Banking Company, to receive and incorporate into their present Rail Road, as a part thereof, a new Rail Road to be built between the points of Macon and Warrenton, by way of Milledgeville, and to amend the charter of the Milledgeville Rail Road Company, and to confer certain powers on the same.

A bill to be entitled an act to authorize James J. Garrison, of the county of McIntosh, to practice medicine, and to charge compensation for the same.

A bill to be entitled an act to amend the 21st section of an act, approved the 21st of January, 1852, relative to the duties of the Ordinary.

A bill to be entitled an act to amend the laws now of force, relative to the service of bills in equity, and libels for divorce, and for other purposes.

A bill to be entitled an act to establish and make uniform the rates of ferriage, and to regulate ferries, so far as relates to the counties of Decatur and Camden, and for other purposes.

A bill to be entitled an act to amend the charter of the Southern Mutual Insurance Company, and for other purposes therein specified.

A bill to be entitled an act to amend and explain the 8th section of an act entitled an act to amend an act entitled an act, to revise the Judiciary System of this State, approved February the 16th, 1799; also, to amend and explain an act entitled an act, to alter and amend the 8th section of the Judiciary Act of this State, passed February the 16th, 1799, and to define more particularly the fees of Clerks, assented to December the 22d, 1840; to declare the proper interpretation of said acts; to regulate the practice thereunder, and to declare valid all judgments rendered in suits wherein there has been an implied waiver of process or service.

A bill to be entitled an act to authorize and require the Justices of the Inferior Court of the county of Emanuel, to levy an extraordinary tax, not to exceed one hundred per cent on the general State tax, for the purpose of building

a new court house, and for other purposes therein mentioned.

A bill to be entitled an act to incorporate the town of Tazewell, in Marion county, and to appoint Commissioners for the same.

A bill to be entitled an act to authorize the Justices of the Inferior Court to issue bonds, &c.

A bill to be entitled an act to legalize and make valid the official acts of Luke Johnson, Justice of the Peace of Fayette county.

A bill to be entitled an act in relation to the limitation over estates.

A bill to be entitled an act to authorize Robert D. McElveen, of the county of Decatur; J. M. Sessions and E. Ennis, of Scriven county; Nathan Anger, of Fulton county, and E. G. Doyle, of Baldwin county, to practice medicine, and receive compensation for the same.

A bill to be entitled an act to authorize the Governor to issue a grant to Zadock Bonner for fractional lot No. 280, in 8th district of Carroll county.

A bill to be entitled an act to extend certain privileges to the Irish Volunteers, of the city of Augusta, and to incorporate the Talbot Guards, and Atlanta City Guards.

A bill to be entitled an act to incorporate the Georgia & Alabama Rail Road Company, and for other purposes.

A bill to be entitled an act to alter the line between the counties of Union and Lumpkin.

A bill to be entitled an act to define a line in Baker county.

A bill to be entitled an act to amend an act entitled an act, to prescribe the mode of laying out private ways, and for other purposes, approved January the 17th, 1852, and for other purposes therein named.

A bill to be entitled an act for the relief of Ely P. Howell, of Gordon county, and his securities.

A bill to be entitled an act, in addition to and amendatory of the several acts regulating attachments in this State, and to authorize remedies in certain cases.

A bill to be entitled an act to amend an act to alter and amend the several Judiciary Acts now of force in this State, so far as relates to the Justices Courts, approved December the 14th, 1811, so as to allow and authorize the same person to hold the two offices of Clerk of the Inferior Court and Justice of the Peace, at the same time.

A bill to be entitled an act to incorporate Friendship Academy, in the county of Twiggs, and for other purposes therein specified.

A bill to be entitled an act to incorporate the Blue Ridge Rabun Gap Church, and for other purposes.

A bill to be entitled an act to compel non-resident defend-

ants, in cases of forcible entry and detainer, to give bond and security in certain cases.

A bill to be entitled an act to add a proviso to the 7th section, 2d article, of the Constitution of this State.

A bill to be entitled an act to amend the several acts relative to the Justices Courts, so far as relates to the county of Chatham, approved December the 19th, 1849, so as to include the Justices Courts of the county of McIntosh.

A bill to be entitled an act to incorporate the Monroe county Male Academy, in the town of Forsyth, and to appoint trustees for the same.

A bill to be entitled an act to make permanent the county site of Emanuel, at Swainesboro, and for other purposes.

A bill to be entitled an act to extend the time for purchasers of fractions and square lots of land, sold under the provisions of the act assented to the 30th of December, 1847.

A bill to be entitled an act, amendatory of an act, incorporating Commissioners of McIntosh County Academy, assented to December the 25th, 1822.

A bill to be entitled an act to regulate the sale and division of slaves, in certain cases therein named.

A bill to be entitled an act to change the place of holding Justices Courts and election precincts, in the 537th district, G. M., in Upson county.

A bill to be entitled an act, to revive and continue in force an act, approved on the 22d day of January, 1852, entitled an act to incorporate the West Point Rail Road & Plank Road Company, and to punish persons for molesting the same, except so far as said Plank Road is concerned, and to specify the names of persons substituted as incorporators by this act.

A bill to be entitled an act to repeal an act entitled an act, to permit owners of land lying on both sides of the rivers Oostenaula, Connasauga and Coosawattee, to erect mill dams, or fish dams, across the same, upon certain conditions, and to prescribe the punishment to which a violation thereof shall subject the offender, approved December the 22d, 1847, and for other purposes.

A bill to be entitled an act to protect the turpentine business, so far as the county of Early is concerned

A bill to be entitled an act to incorporate the town of Irwinton in the county of Wilkinson, and for other purposes therein specified.

A bill to be entitled an act to authorize Joseph Tilly, of Hancock county, to peddle without license.

A bill to be entitled an act to authorize the Road Commissioners of Glynn and Camden counties, to relieve certain persons, and for other purposes therein specified.

A bill to be entitled an act to provide for the education of the poor, approved the 22d of January, 1852, in relation to the payment of teachers.

A bill to be entitled an act to authorize the sale, at public outcry, by the agent to be appointed by the Governor, of the unsurveyed lands of the Okefenokee Swamp, and to provide for the expenses of such sale.

A bill to be entitled an act to amend an act to incorporate the Savannah and Albany Rail Road Company, with power to extend the said road, and to construct branches, and to amend the acts incorporating the Georgia Rail Road & Banking Company, and to change the name of said Savannah and Albany Rail Road Company.

A bill to be entitled an act to define the mode and manner of ascertaining damages done to inclosed and uninclosed lands, by reason of the laying out of public roads or private ways through the same, and for other purposes, so far as the county of Decatur is concerned.

A bill to be entitled an act to authorize certain persons therein named, to practice medicine on the eclectic and homoeopathic systems, and to charge and receive compensation for the same.

A bill to be entitled an act to repeal so much of the 13th Section of the 13th Division of the Penal Code, as refers to the purchase of cotton or rice from slaves, and to make it, without written permission, punishable by imprisonment in the Penitentiary.

A bill to be entitled an act to provide for the education of the poor, in the counties of Habersham and Carroll, and for other purposes therein named.

A bill to be entitled an act to incorporate the Rome Building and Loan Association.

A bill to be entitled an act to repeal an act approved the 26th December, 1845, authorizing the Inferior Courts of the counties of this State, to contract for the building and keeping in repair bridges, so far as relates to the county of Franklin,

A bill to be entitled an act in relation to the working of the public roads in the county of Thomas.

A bill to be entitled an act to alter and amend the act passed on the 25th of December, 1821, in relation to the distribution of estates, so far as relates to advancements.

A bill to be entitled an act to prevent delays in collecting debts and other demands, against the estates of deceased persons, and to authorize and enable temporary administrators to pay the same.

A bill to be entitled an act to authorize the Justices of the Inferior Court of the county of Hancock to take stock to the amount of one hundred thousand dollars, for said county, in a Rail Road, to be built from Warrenton and Macon, by way of Sparta and Milledgeville, and for other purposes.

A bill to be entitled an act to incorporate the Walton Steam Mill Company, and to grant said Company the pow-



ers and privileges therein designated, and to incorporate the Athens Steam Company.

A bill to exempt the practicing Physicians of the county of Effingham from Jury duty.

A bill to be entitled an act to incorporate the Athens Building and Loan Association, and to extend the corporate limits of Monroe in Walton county.

A bill to be entitled an act to incorporate the Cherokee Copper Company of Georgia.

A bill to be entitled an act for the relief of James M. Patterson

A bill to be entitled an act to authorize the Trustees of the Carrollton Academy, to sell the said Academy and to vest the proceeds thereof in the Carrollton Seminary.

A bill to be entitled an act to alter and amend the road laws of this State, so far as relates to the counties of Wilkes, Lumpkin, Laurens, Lincoln and Columbia.

A bill to be entitled an act to alter and amend an act passed and approved the 17th December, 1847, to authorize parties to compel discoveries at common law.

A bill to be entitled an act to incorporate the town of Palmetto, of the county of Campbell, and to appoint commissioners for the same, and for other purposes therein named.

A bill to be entitled an act to authorize the Court of Ordinary of Talbot county, to grant letters of administration on the estate of Samuel J. Yarborough, deceased.

A bill to be entitled an act to extend the limits of prison bounds, for honest debtors, in the county of Bibb.

A bill to be entitled an act to require the Clerks of the Superior Court to issue writs of *ne exeat* in certain cases, and to regulate the proceedings on the same.

A bill to be entitled an act for the relief of John Piles.

A bill to be entitled an act to amend an act entitled an act to exempt certain persons of McIntosh county, from road duty, and for other purposes therein named, approved January 19th, 1852, so as to make the same general in its operations, so far as the county of McIntosh is concerned.

A bill to be entitled an act to render Charles Fily William Blake, of the county of Thomas, capable of inheriting the property of Penelope Tison, and to declare him the adopted son of said Penelope, and to place him in the same relation to her, according to the laws of descent in this State, as if he were the legal heir of said Penelope.

A bill to be entitled an Act to authorize Gracy Hicks, of Crawford county, to establish a ferry on Flint river, in said county, on her own lands, and also to authorize Seaborn Wynn, to keep up the Ferry heretofore established across Little river, on his own lands.

A bill to be entitled an act to provide for the adjournment of the Superior Courts of this State, in certain cases.

A bill to be entitled an act to repeal the 2d Section of an act entitled an act to change the line between the counties of Floyd and Chattooga, and to change the line dividing the counties of Putnam and Jasper, so as to include the residence of Duncan McKissick in the county of Jasper.

A bill to be entitled an act to authorize the Inferior Court of Decatur county to levy an additional tax on the State tax not exceeding two hundred per centum.

A bill to be entitled an act to alter and amend the 3d section of an act to regulate the general elections of this State and to point out the time of the meeting of the General Assembly, assented to on the 11th day of February 1799.

A bill to be entitled an act to confer certain privileges upon James M. Cockeran, of the county of Greene, and to make lawful his acts, and to give him authority to transact business, as though he were of full age.

A bill to be entitled an act to alter the lines between the 4th and 6th districts of Troup county, and to change the lines between certain counties therein mentioned.

A bill to be entitled an act to incorporate the town of Sylvania in the county of Scriven, to provide for the election of commissioners of said town and such other officers as may be necessary, and confer special powers, and for other purposes therein mentioned.

A bill to be entitled an act to alter and change the precinct in the 1st district of the county of Cobb.

A bill to be entitled an act to provide for the navigation of Ebenezer Creek or the runs in the county of Effingham, and removing obstructions from the same, and the navigation of the Ochoopee rivers, in Emanuel county, and to authorize the Inferior Courts of said counties to grant private ways to said streams. •

A bill to be entitled an act to add the county of Carroll to the 4th Congressional district, the county of Wilkinson to the 1st Congressional district, the County of Twiggs to the third Congressional district.

A bill to be entitled an act to amend an act entitled an act to establish a Botanic Medical Board of Physician in this State.

A bill to be entitled an act amendatory of the lien laws of Mechanics, &c.

A bill to be entitled an act to change the line between the counties of Camp and Fayette, so as to include the residence of Nathan Campbell, now of the county of Fayette, in the county of Campbell.

A bill to be entitled an act to incorporate Lawrenceville Lodge No. 131, of free and accepted masons.

A bill to be entitled an act to incorporate the Atlanta Irish Volunteers.

A bill to be entitled an act to change the line between the counties of Warren and Taliaferro.

A bill to be entitled an act to authorize Uriah Joyner to establish Fort Barrington ferry, across the Altamaha river, in McIntosh and Wayne counties, on his own lands and to vest the rights thereof in the said Uriah Joyner, his heirs and assigns, and to fix the rate of ferrage, and for other purposes therein named.

A bill to be entitled an act to change the names of Mary Susan Clack of Pike county, to that of Mary Susan Neal; also, to change the names of certain other persons therein named, and legitimize them and make them capable of inheriting.

On motion of Mr. Irwin the following resolutions of the Senate and House were taken up and read, to wit:

A resolution requiring his Excellency the Governor, to furnish, to each branch of the Legislature, the original cost of public buildings, &c.; which was adopted.

A resolution requiring our Senators and Representatives in Congress, to use their influence to obtain a mail route from Waynesville to Waresborough by way of Jacob Raverson's, and to establish a post office at the said Rawlerson's &c., which was adopted.

A resolution directing his Excellency, the Governor, to cause the Solicitor General of the Coweta Circuit to enquire and report to him the circumstances, attending the organization of the Atlanta Bank, and their mode and places of transacting business, &c., which was adopted.

The House took up the resolution of the Senate, relative to the distribution of the Journals of the Georgia State Convention of 1850, and concurred therein.

The following resolutions of the House were taken up, read and agreed to.

*Resolved*, By the Senate and House of Representatives, that each member of the General Assembly be furnished with a copy of the acts and journals of the present session of the Legislature, to be forwarded to their respective counties.

The House took up the Senate resolution to furnish "Cobb's Digest and Analysis and Forms" to the 1086th district, Georgia Militia, in the county of Troup, and concurred in the same.

The House took up the Senate resolution, recommending Leonidas McIntosh, son of the late Lieutenant Colonel McIntosh, for an appointment in the Army, in view of the proposed increase of the Army, and concurred in the same.

The House took up the House resolution requesting his Excellency, the Governor, to transact all bank business of the State in the sale of State bonds, with the bank of the Republic, in the city of New York, and adopted the same.

The House took up the Senate resolution, authorizing his Excellency the Governor, to cause to be forwarded all necessary law books and legal forms to the new counties organized by the present Legislature, as is customary in such cases, and concurred in the same.

The House took up the senate resolution, recommending Benjamin Tabias Harris for an appointment in the army, in view of its proposed increase, and concurred in the same.

The House took up the Senate resolution, relative to the appointment of a commissioner and Surveyor, to run and mark the boundary line between Georgia and Florida; which was agreed to.

The House took up the Senate resolution, recommending to the President of the United States, for an appointment in the Army, James B. McIntosh, son of John B. McIntosh, deceased, of McIntosh county, in this State, and concurred in the same.

Mr. Phillips from the Finance Committee, made the following report, which was received:

The committee on Finance to whom was referred a bill providing for the issue of six per cent bonds, in lieu of the same class of outstanding bonds, have maturely considered the same, and can see no good and satisfactory reason why the bill should pass. It might possibly appreciate the value and credit of our sureties abroad, to a small extent, but would be attended with expense to the State, and afford less security against imposition and fraud. The bonds referred to, have coupons attached, made payable to bearer, and endorsed by the name of the treasurer, as a security to the State. The holders took them with a full knowledge of their imperfection, if any there be, and the State is satisfied with them; and without elaborating the subject, your committee report adversely to the passage of the bill.

The House took up the report on the bill to be entitled an act to authorize the substitution of the funded debt of this State, in certain cases.

The report was agreed to; the bill was read the third time and lost.

On motion, of Mr. Irwin the House adjourned until half-past nine o'clock, A. M.

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#### THURSDAY, FEBRUARY 16th, 1854.

The House met pursuant to adjournment.

Mr. Walker moved to take up the resolution offered by Mr. Williamson, requiring the the Treasurer and Comptroller General to make out a true and correct state-

ment of the pay and mileage, received by the members of the House, and a list of Clerks, and pay received by each, and to publish the same as a part of the Journals of the House.

Mr. Alread moved to amend by adding: "And to publish the number of days each member has been absent from the Legislature;" which was accepted.

Mr. Riley offered to amend by adding the words: "and specify how many days each member has been absent from his seat, whether with or without leave;" which was accepted.

Mr. Hardeman moved to lay the resolution and amendments on the table, for the balance of the session.

Mr. Arnold called for the previous question.

The call was sustained, and the main question, which was to lay the resolution and amendments on the table, was ordered to be put.

Upon which motion the yeas and nays were required to be recorded, at the call of Mr. McMullin, and are : yeas 43 nays 39.

Those who voted in the affirmative are, Messrs.

Adams,	Hawkins,	Powell,
Andrews	Hardison,	Redding,
Arnold	Irwin.	M. Reid,
Armstrong,	Jones,	R. A Robinson,
Boatright	Leverett	Rowell
Calloway	Linn	Rumph
W. C. Cleveland,	Maugham,	W R. Smith,
Crawford,	McCurdy	W Smith,
Crittenden	McDonald	J Taylor
Fields,	McGregor,	Whitworth,
Fish	Moody.	Wilson
Griffin	Moughon,	Woodward.
Haynie	Phillips	Young
Hardeman,	Pickett	
Hays,	Poole	

Those who voted in the negative are, Messrs.

Alread,	Gartrell	Keith,
Anderson,	W P. Harden,	Manor
Bell	Harris,	McDougald,
Brown,	Harrall,	McLean
Champion,	Hamilton,	McMullin,
Benj. Cleveland,	Headen	Nichols,
Clements,	Henderson,	Paris,
Dawson,	Hudson.	G. R. Reid

Richardson	Stephens,	W. A. Walton.
Riley	L S Stewart	Walker
Shewmake	Thornton	A J Williams
J C Smith	Trice.	H L Williams
Stapleton	Turner,	Williamson,

So the motion to lay on the table prevailed.

On motion of Mr. McCurdy, the resolution, authorizing his Excellency, the Governor, to subscribe for a sufficient number of Bonner's Map of Georgia, to furnish each county with one copy, and one for each State and Territory, and one for each State House officer, was taken up and agreed thereto.

The House took up the Senate amendments to the bill to be entitled an act to authorize Patrick Goff of Lee county, to establish a ferry across Flint river, on his own land, and for other persons and purposes therein mentioned, and concurred therein.

The House took up the Senate amendment to the bill to be entitled an act to incorporate the town of Magnolia in Clinch county, and for other purposes, and for providing for the election of Marshal in the city of Macon, and concurred therein.

The House took up the Senate amendments to the bill to be entitled an act to provide for filling vacancies in the offices of Clerks and Sheriffs, in the several counties of this State, and for other purposes therein specified, and concurred in the same.

The House took up the Senate amendments to the bill to be entitled an act to incorporate the Gum Log Mining company, and grant certain privileges to the same, and concurred in the same.

The House took up the Senate amendment to the bill to be entitled an act to incorporate the Savannah Lumber Manufacturing & Planing Machine Company, and concurred in the same.

The House took up the Senate amendment of the bill to be entitled an act for the relief of Linney Pool, formerly Linney Walker of Wilkes county, and to change the name of said Linney Pool to that of Linney Walker, and for other purposes.

The amendment was concurred in.

The following message was received from the Senate by Mr. Moore, their secretary.

*Mr. Speaker*—The Senate has passed the following bills of the House of Representatives, to wit:

A bill to alter and amend an act for the relief of Sheriffs, in certain cases, passed the 22d December, 1829, so far as relates to Lowndes county. Also,

A bill to change the boundary line of the county of Harris, so as to add the north half of lot No. 10S, in the 5th District, of originally Troup. but now Harris, to the county of Troup. Also,

A bill to compensate Managers of Elections, in the counties of Lincoln, Twiggs and Scriven. Also,

A bill to change the name of William Riley Rogers of Campbell county, and legitimize him. Also,

A bill to make permanent the election precinct, in the 10S7th District, Georgia Militia, of Paulding county.— Also,

A bill to fix the hours of labor by all free white males, under 21 years of age, and by all free white females, under or over 21 years of age, in all cotton and Woolen Manufacturing establishments, in this State, and for other purposes.— Also,

A bill to remove an election precinct from the house of Mrs Anny Greers, in the 373d district, Georgia Militia, of Jasper county, to the house of Moses Chaffin, in said District.— Also.

A bill to compensate Allen C. Harbin and others, of Richmond county, for services rendered. Also,

A bill to grant Ishmael Brannon of Talbot county, the right of making a crossing place across the 30th section of the Muscogee rail road, near Geneva, in said county. Also,

A bill to incorporate the Thomasville Guards, and to grant them certain privileges and exemptions.

The Senate has also passed the following bills of the House of Representatives, with amendments in which they ask the concurrence of the House, to wit:

A bill for the relief of Linney Pool, formerly Linney Walker of the county of Wilkes, and to change her name to Linney Walker, and for other purposes. Also,

A bill to provide for filling vacancies in the offices of clerks and Sheriffs, in the several counties in this State. Also,

A bill to incorporate the town of Magnolia in Clinch county. Also,

A bill to incorporate the Savannah Lumber Manufacturing & Planning Machine Company; also,

A bill to amend the rent laws of this State; also,

A bill to incorporate the Gum Log Mining Company, and to grant them certain privileges.

The House took up the report on the Senate bill to be entitled an act to legalize and make valid the official act of Luke Johnson, a Justice of the Peace, of Fayette county

The report was agreed to, and the bill read the third time and passed.

The House took up the Senate bill to be entitled an act to repeal an act to alter and amend the road laws of this State so far as relates to the county of Thomas.

The report was agreed to, the bill was read the third time and passed.

The House took up the report on the Senate bill, to be entitled an act to incorporate the town of Tazewell, in Marion county, and to appoint commissioners for the same.

The report was agreed to, and the bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to authorize Justices of the Inferior Court to issue bonds, &c.

The report was agreed to, the bill was read the third time and passed.

The House took up the report of the committee on the Senate bill to be entitled an act to authorize the Georgia rail road and banking company to receive and incorporate into their present rail road, as a part thereof, a new rail road, to be built between Macon and Warrenton, by way of Milledgeville, and to amend the charter of the Milledgeville rail road company, and to confer certain powers on the same.

On motion of Mr. Irwin, the bill was laid on the table for the balance of the session.

The House took up the report on the Senate bill to be entitled an act in relation to the limitation over of estates.

The report was agreed to, the bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act for the relief of Ely P. Howell of Gordon and his securities.

On motion of Mr. Thornton the bill was laid on the table for the balance of the session.

The House took up the report on the bill of the Senate to be entitled an act to incorporate the Monroe county Male Academy, in the town of Forsyth, and to appoint trustees for the same.

The report was agreed to, the bill was read the third time and passed.

The House took up the report of the committee on the Senate bill, to be entitled an act to amend an act to prescribe the mode of laying out private ways, and for other purposes, approved January 10th, 1852, and for other purposes therein named.

The report was agreed to, the bill was read the third time and passed.

The following message was received from his Excellency, the Governor, through Mr. DeGraffenried, his Secretary.

*Mr. Speaker*—The Governor has approved and signed the following acts, which have been deposited in the office of the Secretary of State.

An act to protect the citizens of the counties of Dade and Habersham, from the injurious consequences, of cattle spec-



ulators driving stock through said counties, and spreading distempers, to the destruction of the stock of the people, living therein, and for other purposes.

An act to incorporate the Franklin Bridge Company, and for other purposes therein specified.

An act to amend an act to appoint certain commissioners for the Savannah River, approved February 23d, 1850.

An act to change the time of holding the Superior Courts, in the counties of Walker and Dade, and the Inferior Courts of the county of Chattooga.

An act to incorporate the Mountain Rangers, in the county of Gordon.

An act to define the liability of rent to levy and sale, and to protect the rights of owners of land in this State.

An act to repeal so much of the 3d section of an act, passed the 17th January, 1852, as requires two panels of Grand and Petit Jurors, to be drawn for the February term of Clarke Superior Court.

An act to authorize the Inferior Court of Laurens county, to levy an extra tax, for pauper purposes, and to authorize the Inferior Court of McIntosh county, to levy an extra tax for county purposes.

An act to incorporate the Forsyth & Lumpkin Rail Road Company.

An act to define the line between the counties of Wayne and Ware, so far as relates to the south side of Satilla river, also to change the line between the counties of Cherokee and Forsyth, and to add lot of land 243, in the 15th district of Worth, to the county of Dougherty, and for other purposes therein mentioned.

An act to incorporate the Irish Jasper Greens, a volunteer Corps of the city of Savannah, and to amend the act passed by the last General Assembly, in relation to the 1st Regiment, 1st Brigade, 1st Division, Georgia Militia, so far as relates to certain companies.

An act to amend an act to alter and change the time of holding the Superior Courts in the county of Marion, to allow said county two weeks, instead of one, for the term of said Courts, to authorize the Judges of said Courts to draw two panels of Grand and Petit Jurors, and to authorize and require the Justices of the Inferior Courts of said county to draw an additional panel for the next term of said Court, approved December 10th. 1851, so far as to authorize the presiding Judge to hold the Superior Courts in said county, longer than the time specified in said act at his discretion.

An act to change the name of Amanda Ransom, to that of Amanda Robinson, and make her the legal heir of Fulton Robinson, and other persons therein named, and for other purposes.

An act to appoint commissioners, to settle the claims of

the creditors of the Bank of Darien, upon the State of Georgia, and to provide for raising the money which may be required to pay such claims, by a sale of State bonds.

An act to incorporate the Macon Manufacturing Company.

An act to incorporate the Masonic Female College, in Lumpkin, Georgia, and confer certain privileges on the same. Also to equalize and make valid a transfer of the College lot of land, in Covington, buildings and furniture of the Southern Female College to the Grand Lodge of the State of Georgia, to change the name of the said Institution to that of the Southern Masonic Female College, and to confer upon the said College certain corporate powers and privileges, therein specified; and to amend an act to incorporate the Cassville Female College, and the Cherokee Baptist College, and to confer certain privileges on the Commissioners of the town of Cassville, assented to on the 10th January, 1854.

An act for the relief of Jane Levy, wife of Lewis Levy, of Richmond county.

An act to appropriate money to Morgan Kemp, former Sheriff of Marion county, for services rendered by him in and about the sale of certain fractional lots of land, in the county of Marion, for the State, for the relief of William Hubbard, Tax collector of Polk county, and John Guiney, of Wilkinson county.

An act to amend the second section of an act to authorize the construction of the Magnetic Telegraph, and providing for the protection of the same, approved December 29th, 1847

An act to wind up the affairs of the Central Bank of Georgia, and for other purposes therein mentioned.

An act to authorize the Justices of the Inferior Court of Lumpkin county, or a majority of them, to levy an extra tax for the purpose of building a jail.

An act to authorize the commissioners of the town of Louisville, to sell and dispose of such streets as they may think proper, and to make valid deeds to such streets as may have been sold by the previous boards of commissioners.

An act to incorporate a Bank in the city of Dalton, to be called the "Planters and Mechanics Bank of Dalton."

An act to incorporate Andrew Female College, in Cuthbert.

An act to authorize and require the Poor School Commissioners, of the county of Warren, to pay George W. Ray, out of the Poor School Fund of said county, the amount paid by him as Justice of the Peace, out of his individual funds, for teaching poor children in said county, in the year 1850.

An act to incorporate the town of Campbellton, in the county of Campbell, and to appoint commissioners of the same, and to make permanent the public buildings. Also

to appoint Trustees for Clayton Academy, in the county of Rabun, and to appoint Trustees for Villanow Academy, in the county of Walker, and to incorporate the same. To incorporate the village of Thomson, and confer certain powers upon the commissioners thereof, and for other purposes therein mentioned.

An act to incorporate the Milledgeville Hotel Company.

An act to authorize the Ordinary of the county of Upson, to pay over to James Clack, Jacob McCloud, and Hardaway Collier, the sum of their several accounts, for teaching certain poor children, in said county, in the year 1852.

An act to extend the provisions of an act to amend the several acts now in force, regulating the fees of Magistrates and Constables, in the State of Georgia, so far as relates to the counties of Bibb, Richmond, Monroe and Lee, and provide for the mode of collecting the same, approved January 22d, 1852, so far as to include within its provisions the counties of Warren, Troup, Hancock and Meriwether.

An act to incorporate the Monticello and Griffin Rail Road Company, and for other purposes therein named.

An act to incorporate the Church Wardens and Vestry of the Protestant St. John's Free Chapel, in the city of Savannah.

An act to alter and amend the 8th section of an act entitled an act to carry into effect the amended constitution of this State, in reference to the Ordinaries of this State, assented to January 21st, 1852, so far as to change the time of holding the regular terms of the Courts of Ordinary, in the second Monday in each and every month, instead of the first Monday, as is now provided by law, so far as the county of Cherokee is concerned.

An act to amend an act for the relief and support of widows and orphans, and of the estates of their deceased husbands and parents, assented to the 27th December, 1838.

An act to change the name of Reuben C. Nail, of Appling county, to Reuben C. Wiley, and legitimize the same.

An act to incorporate the Baptist Church, in the town of Elijah, in the county of Gilmer; Town Creek Church, Talking Rock Church, Ebenezer, Macedonia, Mountain Town, Pleasant Hill, New Hope, Zion Hill, Sugar Creek, Lebanon, Union, Mount Moriah, Bethel, Mount Zion and Cherry Log, in the county of Gilmer, and appoint Trustees for the same.

Also a resolution to elect a State Printer.

The House took up the report on the Senate bill to be entitled an act to amend the several acts relating to the Justices Courts, so far as relates to the county of Chatham, approved December 19th, 1849, so as to include the Justices Courts of the county of McIntosh.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to revive and continue in force an act, approved on the 22d day of January, 1852, incorporating the West Point Rail and Plank Road Company, and for other purposes therein specified.

Mr. Redding moved to amend, by an additional section, making said Road liable for all damages or killing of stock and passengers, and throwing the burthen of exculpatory proof upon said company, also making said Company liable to be taxed as other Companies; which was accepted.

The report, as amended, was agreed. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to prescribe the mode and manner of ascertaining damages done to enclosed or uninclosed lands by reason of the laying out of public roads or private ways through the same, and for other purposes, so far as the county of Decatur is concerned.

The report was agreed to. The bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to change the place of holding Justices Courts and election precincts in the 537th district, G. M., in Upson county.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act in addition to and amendatory of the several acts regulating attachments in this State, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act for the relief of John Montgomery and William A. Lewis, of Forsyth county, and Nancy Gong, Adeline Page, Thursday, Isabella Dela, Fayette and Elmira, free persons of color, of the county of Columbia, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to regulate the fees of Magistrates and Constables in the county of McIntosh, and to provide for the collection of the same.

The report was agreed to. The bill was read the third time and passed.

The following message was received from the Senate, by their Secretary, Mr. Moore, to wit:

*Mr. Speaker*—The Senate has this day passed the bill of the House to collect a tax for each of the political years 1854 and 1845, with amendments, in which they ask the concur-

rence of the House, and which I am directed to transmit forthwith to this branch of the General Assembly.

The House took up the report on the Senate bill to be entitled an act to alter and amend an act to amend the several Judiciary acts now of force in this State, so far as relates to Justices Courts, approved December 14th, 1811, so as to allow and authorize the same person to hold the two offices of the Clerk of the Inferior Court and Justice of the Peace at the same time, in the county of Wilkes.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to change the place of holding Justices Courts and election precincts in the 537th district, G. M., in Upson county.

The report was agreed to. The bill was read the third time and passed.

The House took up the Senate amendments to the bill to be entitled an act to levy and collect a tax for the political years 1854 and 1855, and thereafter until repealed, and concurred therein.

On motion of McDougald, the Clerk was directed to transmit the same forthwith to the Senate.

The House took up the report on the Senate bill to be entitled an act to regulate the sale and division of slaves in cases therein named.

The report was agreed to, and after some discussion thereon, Mr. Walker called the previous question.

The call being sustained, the main question was ordered to be put, which was upon the passage of the bill, and upon the question "Shall this bill now pass?" the yeas and nays were required to be recorded—at the call of Mr. Alread—and are: yeas 47, nays 39.

Those who voted in the affirmative are, Messrs

Adams,	Hawkins,	Powell
Alread,	Headen,	Redding,
Anderson	Hudson	M. Reid,
Arnold	Irwin,	Richardson,
Armstrong,	McComb	Riley
Boatright	McCurdy,	R A Robinson
Brown,	McDonald	Rucker
Cameron	McDougald	Shewmake.
Champion	McGregor,	Stapleton,
Clements	McMullin,	L. S. Stewart,
Dawson	Mobley,	D. W Taylor,
Harris,	Moughon	Thornton
Harrall,	Paris,	Turner,
Hardeman	Pickett	W. A. Walton,

Walker,	A J Williams	Young,
H L Williams	Wilson	

Those who voted in the negative are Messrs.

Andrews,	Hays,	Poole,
Calloway,	Hardison,	G. R. Reid.
Benj. Cleveland,	Hamilton,	Rowell,
W. C. Cleveland,	Henderson,	Rumph,
Crawford,	Keith	J. C. Smith,
Crittenden	Latham	W R. Smith,
Eberhart	Leverett,	W Smith
Fields,	Mangham,	J Stewart,
Fish	Maxwell,	J. Taylor,
Gartrell,	Manor,	Trice,
Griffin	McLean	J. H. Walton,
W P Harden	Nichols,	Whitworth,
Haynie	Phillips	Woodward,

So the bill was passed.

The House took up the report on the Senate bill to be entitled an act amendatory of an act to incorporate the town of Americus, in the county of Sumter, passed 22d December, 1852, and for other purposes specified.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to amend an act to provide for the education of the poor, approved 22d January, 1852, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to authorize James J. Garrison, of McIntosh county, to practice medicine, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to amend the 21st section of an act, approved January 21st, 1852, relative to the duties of Ordinaries.

On motion of Mr. McDougald, the bill was laid on the table for the balance of the session.

The House took up the report on the Senate bill to be entitled an act to authorize the Governor to issue a grant to Zaddock Bonner, for fraction No. 280, in the 5th district of Carroll county.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be en-

titled an act to establish an election precinct at the usual place of holding the Justices Courts in the 148th district, G. M., in the county of Floyd, and to change the name and place of holding elections and the place of holding Justices Courts, and to establish election precincts in certain counties therein named.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to authorize sundry named persons to practice medicine and for other purposes.

The report was disagreed to. The bill was read the third time and lost.

The House took up the report on the Senate bill to be entitled an act to alter and amend the 27th section, 10th division of the Penal Code of this State.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act in relation to the working of the public roads in the county of Thomas.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to authorize the sale of the unsurveyed lands of Okefenokee Swamp, and for other purposes.

On motion of Mr. McDougald, the same was laid on the table for the balance of the session.

The House took up the report on the Senate bill to be entitled an act for the relief of John Piles.

On motion of Mr. Randolph, the same was laid on the table for the balance of the session.

The House took up the report on the Senate bill to be entitled an act to prevent the killing of deer, at certain periods of the year, in the county of Burke.

The report, was agreed to ; as amended, the bill was read the third time and passed.

The following message was received from the Senate by Mr. Moore, their Secretary.

*Mr. Speaker*—The Senate has concurred in the amendments of the House of Representatives to the following bills of the Senate, to wit :

A bill to regulate the Pilotage of the port of Darien, point out the mode of electing commissioners, and to establish the fees of Pilots. Also,

A bill authorizing the Justices of the Inferior Court of Telfair, Irwin, Montgomery and Pulaski counties to grant permission to lay out public roads, leading to rivers, touching said counties, and remove obstructions in streams in said counties, suitable for rafting timbers. Also,

A bill to add lots Nos. 85 and 86, in the 7th District of originally Baldwin, now Jones county, to the county of Bibb, and also to change the line between the counties of Franklin and Hart. Also,

A bill to incorporate the Georgia Western Rail Road Company, and to confer certain powers and privileges on the same. Also,

A bill to extend the charter of the Mechanics Bank, and to amend the act incorporating the same. Also,

A bill to incorporate the Submarine Telegraph Company. Also,

A bill to reduce the Sheriff's bond in the county of Effingham. Also,

A bill to charter the Charleston & Savannah Rail Road, and to authorize suits against the same, and other Rail Road Companies. Also,

A bill to change the line between the counties of Tattnall and Liberty, so as to change the residence of Everett M. G. Stubbs from Liberty to Tattnall county. Also,

A bill to amend and declare the true intent and meaning of an act, passed during the present session of the General Assembly, organizing a new county from the counties of Elbert and Franklin, and for other purposes. Also,

A bill to amend the several acts incorporating the town of Greensborough, to extend its corporate limits, and for other purposes. Also,

A bill to build and construct a Rail Road from Dalton to some eligible point on the Alabama line, &c. Also,

A bill to incorporate the Chattahoochee Ridge Rail Road Company, and for other purposes.

The Senate has also passed the following bills of the House of Representatives, with amendments, in which they ask the concurrence of the House, to wit:

A bill to change the name of Missouri Binum, of Paulding county, to Missouri Hackett, and to legitimize the same, and that of James Jefferson Shuffield, to that of James Jefferson Pudgett, and the names of certain other persons therein named.

The Senate has also concurred in the amendment of the House to the amendment of the Senate to the bill of the House of Representatives, to amend an act to incorporate the Zebulon Branch Rail Road, approved January 22d, 1852, so as to extend the said Road to Greenville, Corinth and Franklin, and for other purposes.

The Senate has also receded from its amendment to the bill of the House to incorporate the Columbus and Hamilton Rail Road Company, requiring all suits hereafter to be brought against said Company and the Western and Atlantic Rail Road, to be brought in the county of Fulton, and in-



sists on its amendment to the same, requiring the Treasurer of the Western & Atlantic Rail Road to pay claims against the same, out of the earnings of the Road, on the same being audited.

The Senate has passed the bill of the House extending the powers of the Hamilton Female College Company, heretofore incorporated by the Superior Court of Harris county, with amendments in which they ask the concurrence of the House.

The House took up the report on the Senate bill to be entitled an act to authorize the Courts of Ordinary of Talbot county to grant letters of administration on the estate of Samuel P. Yarborough, deceased.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to extend the limits of prison bounds for honest debtors in the county of Bibb.

Amended, by adding the county of "Muscogee," and "city of Columbus."

The report, as amended, was agreed to ; the bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to amend the processioning laws of this State.

The report was agreed to ; the bill was read the third time and passed.

The House took up the report of the committee on the Senate bill to be entitled an act for the relief of Jennette Smith of the county of Houston, and Mileah Lodtman, of the city of Augusta, and Lanier M. Patillo, of the county of Cobb.

The report was agreed to ; the bill was read the third time and passed.

The House took up the report of the committee on the Senate bill to be entitled an act to require the Clerks of the Superior Court to issue writs of *ne exeat* in certain cases, and to regulate the proceedings on the same.

On motion of Mr. McDougald, the bill was laid on the table for the balance of the session.

The House took up the report on the Senate bill to be entitled an act to apportion the Representatives among the several counties of this State, according to the 7th Section of the 1st Article of the Constitution.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act for the relief of James M. Patterson.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the bill of the Senate to

be entitled an act to authorize Gracy Hicks, of Crawford county, to establish a ferry on Flint river, in said county, on her own land, also to authorize Seaborn Wynn to keep up the ferry heretofore established across Little river, on his own land.

The report was agreed to. The bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to repeal the 2d Section of an act entitled an act to change the line between Floyd and Chattooga counties, and for other purposes.

The report was agreed to; the bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to repeal an act, approved on the 26th December, 1845, authorizing the Inferior Courts to build bridges, and for other purposes, so far as relates to the county of Franklin.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the bill of the Senate to be entitled an act to admit to record certain instruments, and to authorize oaths to be administered by certain persons therein named.

The report was agreed to; the bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to change the line between the counties of Greene and Taliaferro.

The report was agreed to. The bill was read the third time and passed, with the amendments.

The House took up the report of the committee on the Senate bill to be entitled an act to render Charles Fitz William Blake, of the county of Thomas, capable of inheriting the property of Penelope Tison, and to declare him the adopted son of said Penelope, to place him in the same relation to her, according to the laws of descent in this State, as if he were the legal heir of said Penelope.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the Senate bill to be entitled an act to provide for the adjournment of the Superior Courts of this State in certain cases.

On motion of Mr. McDougald, the bill was laid on the table for the balance of the session.

The House took up the report of the committee on the Senate bill to be entitled an act to amend an act entitled an act to exempt certain persons of McIntosh county from road duty, and for other purposes therein named, approved January 19th, 1852, so as to make the same general in its operation, so far as the county of McIntosh is concerned.

The report was agreed to; the bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to require Executors to give bond in certain cases.

The report was agreed to, and on motion of Mr. McDougald, the bill was postponed indefinitely.

The House took up the report of the committee on the Senate bill to be entitled an act to repeal an act entitled an act to regulate the fees of Attorneys and Solicitors General, and for other purposes therein specified.

The report was agreed to; the bill was read the third time and lost.

The House took up the Senate bill to be entitled an act to alter and amend an act passed on the 25th December, 1821, in relation to distribution of estates, so far as relates to advancements.

The report was agreed to; the bill was read the third time and passed.

The House took up the report on the bill of the Senate to be entitled an act to repeal an act to alter and amend the road laws, so far as they relate to McIntosh county, so as to relieve the hands subject to road duty, who are residents upon Sapelo Island, from working the roads up on the main lands, approved January 22d, 1852.

The report was agreed to; the bill was read the third time and passed.

Mr. Gartrell, from the Committee on Enrolment, reported as duly enrolled, the following bills, to wit:

A bill to be entitled an act to alter and change the line between the counties of Clarke and Jackson and Houston and Dooly, so that lots of land Nos. 80 and 81, of the third District of Dooly county, and the residences of James Smith and William F. Griffin, of Dooly county, shall be added to and included in the county of Houston.

A bill to be entitled an act to repeal the third section of an act to incorporate the town of Eatonton, to regulate licences therein, and to change the time of electing commissioners, and for other purposes, approved January 22d, 1852, and to amend an act incorporating the town of Cassville, in the county of Cass, on the 27th day of December, 1843, and to extend the corporate limits of the town of Thomasville.

Resolution of the Committee on Banks, relative to the Bank of Darien.

A bill to be entitled an act to compel persons living in the county of Wayne to give in and pay their taxes in said county for all the property they may own in the State, and for other purposes.

A bill to be entitled an act to compensate Grand and Petit Jurors of the counties of Clarke and Wilkinson.

A bill to be entitled an act to incorporate the town of Fairburn, in the counties of Fayette and Campbell.

A bill to be entitled an act to authorize the Governor to issue State bonds in lieu of the outstanding bonds of the Central Bank, and to provide for the issuing of certain other bonds.

A bill to be entitled an act to incorporate the Washington and Petersburg Rail Road Company.

A bill to be entitled an act to incorporate the Wilkes Plank or Rail Road Company

A bill to be entitled an act to amend the several Road Laws of this State, so far as relates to the county of Chat-ham.

A bill to be entitled an act for the relief of John F. Green, one of the securities of Allen B. Powell, formerly Tax Collector of the county of McIntosh, and to release him from the payment of twenty-five per centum per annum interest on a *promissory note*, issued by the Comptroller General of this State against said Allen B. Powell, Tax Collector aforesaid, and John F. Green and one Henry T. Hall as his security, on the 26th day of May, A. D. 1843, and for other purposes.

A bill to be entitled an act to refer the question of removal and location of the Seat of Government of the State of Georgia to the legal voters of said State.

A bill to be entitled an act to incorporate a bank in the city of Savannah to be called the Mechanics and Traders Bank.

A bill to be entitled an act more effectually to prevent trading with slaves and furnishing them with intoxicating liquors, and to prevent Indians in Talbot county from selling or furnishing liquor to slaves.

A bill to be entitled an act for the relief of William Crowell and William C. Russeau, of the county of DeKalb.

A bill to be entitled an act to amend the several acts now of force in relation to the Muscogee Rail Road, so far as to change the time for the election of President and Directors of said Company, and for other purposes therein named.

A bill to be entitled an act to incorporate a company to be known by the name and style of the Marietta Fire Company, and to give them certain privileges and exemptions.

A bill to be entitled an act to authorize the commissioners of the Georgia Asylum of the Deaf and Dumb to apply and expend a portion of the annual appropriation for certain purposes therein named.

On motion of Mr. Walker, the House adjourned until half-past 2 o'clock this afternoon.

## HALF-PAST TWO O'CLOCK, P. M.

The House met pursuant to adjournment, and proceeded to read Senate bills the third time.

The House took up the report on the Senate bill to be entitled an act to incorporate Barnesville, in Pike county, and for other purposes. Also, to extend the corporate limits of the city of Atlanta.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to change the name of Mary Susan Clock, of Pike county, to Mary Susan Neal, and for other purposes therein named.

Amended so as to include J. P. Gazzaway and children of Hall county.

The report as amended, was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to authorize Uriah Joyner to establish Fort Barrington Ferry across the Altamaha River, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to change the line between the counties of Campbell and Fayette, and for other purposes.

The report was agreed to ; the bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act amendatory of the lien laws of Mechanics.

The report was agreed to ; the bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to amend an act to establish a Botanic Medical Board of Physicians in this State.

The report was agreed to ; the bill was read the third time and passed.

The House took up the report on the bill of the Senate to be entitled an act to prevent delays in collecting debts and other demands against the estates of deceased persons, and to authorize and enable temporary administrators to pay the same.

The report was agreed to ; the bill was read the third time and lost.

The House took up the report on the Senate bill to be entitled an act to provide for the navigation of Ebenezer Creek and Ochoopee River, in Effingham county, and for other purposes.

The report was agreed to ; the bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled act to alter and change the precinct in the 1st district of the county of Cobb.

The report was agreed to ; the bill was read the third time and passed.

The House took up the report on the bill of the Senate to be entitled an act to incorporate the town of Sylvania in the county of Scriven, to provide for the election of commissioners of said town, and such other officers as may be necessary, and confer upon them special powers, and for other purposes therein mentioned.

The report was agreed to ; the bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to alter the lines between the 4th and 6th districts of Troup county, and change the lines between certain counties therein mentioned.

Amended by striking out the 2d section.

The report, as amended, was agreed to ; the bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to incorporate the Baptist Church at Sylvania, Scriven county, and the Bluff Spring Camp Ground, in Pike county.

The report was agreed to ; the bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to incorporate the town of Irwinton, and for other purposes therein mentioned.

Amended by adding, " that the corporate limits of Spring Place, Murray county, be extended one-half mile from the Court House, in every direction."

The report, as amended, was agreed to ; the bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to lay out and organize the county of Charlton from the county of Camden.

The same being amended, Mr. Poole called for the previous question, which call was sustained, and the main question ordered to be put, which was upon the passage of the bill.

Upon the question, " Shall this bill now pass ?" the yeas and nays were required to be recorded, at the call of Mr. Riley, and are : yeas 48, nays 21.

Those who voted in the affirmative are Messrs.

Adams,	Hamilton	Shewmake
Arnold,	Irwin	W. Smith,
Bell	McCurdy,	Stapleton
Boatright	McDonald,	Stephens,
W C Cleveland	McDougald,	J. Stewart,
Crawford,	McLean	Stokes,
Crittenden	Moughon	J. Taylor,
Eberhart,	Paris,	D. W Taylor
Gartrell,	Phillips,	Thoruton
Grant,	Pickett	Turner,
Griffin,	Poole	J H Walton,
W. P. Harden,	G. R. Reid,	W. A. Walton,
Haynie	R A Robinson,	Walker
Harrall	Rowell	A. J. Williams
Hays	Rucker	H. L. Williams,
Hardison	Rumph,	Young.

Those who voted in the negative are Messrs.

Anderson	Headen,	McGregor
Andrews	Henderson	McMullin
Fields,	Hendrick,	Richardson.
Fish,	Keith,	Riley,
Harris,	Mangham	L. S. Stewart,
Hardeman,	Maxwell,	Trice
Hawkins,	Manor,	Whitworth,

So the bill passed under the title thereof.

The House took up the report of the committee on the Senate bill to be entitled an act to authorize the election of two commissioners from each Militia District in the county of Wayne, to select a suitable location for a new court house in said county, and to make permanent the same; to authorize the Inferior Court of said county of Wayne to levy an extra tax to pay for the building of said court house; to point out the mode of electing said commissioners, and for other purposes therein mentioned.

The report was agreed to; the bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to amend the laws now of force relative to service of bills in equity and libels for divorce, and for other purposes.

The report was agreed to.

On motion of Mr. McDougald, it was postponed indefinitely.

The House took up the report on the Senate bill to be entitled an act to establish a uniform rate of ferriage and ferries, so far as relates to the counties of Decatur and Camden and for other purposes.

The report was agreed to ; the bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to amend the charter of the Southern Mutual Insurance Company, and for other purposes.

The report was agreed to ; the bill was read the third time and passed.

The House took up the report of the committee on the Senate bill to be entitled an act to amend an act to incorporate an Insurance Company to be called the Savannah Mutual Insurance Company, passed December 30th, 1847, and an act amendatory thereof, passed 23d February, 1850.

The report was agreed to ; the bill was read the third time and passed.

The House took up the report of the committee on the Senate bill to be entitled an act to amend an act incorporating the Coosa River Steamboat Company, so as to reduce their capital.

The report was agreed to ; the bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to reduce the Sheriff's bonds of this State, so far as relates to the county of Camden.

The report was agreed to ; the bill was read the third time and passed.

The House took up the report on the Senate bill to extend certain privileges to the Irish Volunteers of Augusta, and to incorporate the Talbot Guards, and Atlanta City Guards, and for other purposes.

The report was agreed to ; the bill was read the third time and passed.

The House took up the report on the bill to be entitled an act to alter the line between the counties of Union and Lumpkin.

The report was agreed to ; the bill was read the third time and lost.

The House took up the report on the Senate bill to be entitled an act to incorporate the Georgia and Alabama Rail Road Company, and to grant certain powers and privileges to the same, and for other purposes.

The same being amended, was agreed to ; the bill was read the third time and passed.

The House took up the report of the committee on the Senate bill to be entitled an act to change the names of certain persons, and to legitimize and make them heirs at law of certain persons.



The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to incorporate Friendship Academy, in Twiggs county, and to appoint trustees for the same.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to incorporate the Blue Ridge Rabun Gap Church, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to define a line in Baker county.

The report was agreed to. The bill was read the third time and passed.

The House took up the amendments of the Senate to the bill to be entitled an act to incorporate the Columbus and Hamilton Rail Road Company, and concurred therein.

The House took up the amendments of the Senate to the bill to be entitled an act to extend the powers of the Hamilton Female College Company, which has been heretofore incorporated by the Superior Courts of Harris county, and for other purposes, and concurred therein.

The House took up the Senate amendments to the bill to be entitled an act to amend an act to incorporate the Zebulon Branch Railroad, approved January 12th, 1852, and for other purposes therein specified, and concurred in the same.

The House took up the Senate amendment to the bill to be entitled an act to change the name of Missouri Binum to Missouri Hackett, and to change the names of, and legitimize other persons therein named, and concurred in the same.

The House took up the amendment of the Senate to the bill of the House, to be entitled an act to authorize a grant to issue to William T. Williamson of the county of Baldwin, to lot of land No. 120, in the 2d district and 4th section of the lottery of 1827, and concurred in the same.

The House took up the Senate amendments to the bill to be entitled an act to amend the several acts in force, incorporating the town of West Point, and for other purposes, and to incorporate Fort Valley in Houston county, Georgia, and for other purposes.

The report, as amended, was agreed to. The bill was read the third time and passed.

The following message was received from the Senate by Mr. Moore, their secretary :

*Mr. Speaker*—The Senate has passed the bill of the House of Representatives for the relief of P. L. J. May.

The House took up the Senate bill to be entitled an act to

add a provision to the 7th Section, 2d Article of the Constitution of this State.

The report was agreed to, and upon the question, "shall this bill now pass?" the yeas and nays were required to be recorded, as the bill was to change the Constitution of this State, and are : yeas 35, nays 41.

Those who voted in the affirmative are Messrs.

Alread	Hardison	Pickett
Anderson	Headen,	M. Reid.
Andrews,	Henderson,	Richardson,
Arnold	Irwin,	Riley
Cameron	Jones,	W. Smith,
W. C. Cleveland,	Leverett,	Stokes,
Fields.	Liun,	Turner,
Gartrell.	Mingham	W A Walton
W. P. Harden,	Maxwell	Walker,
Haynie,	McCurdy,	Whitworth,
Harrall,	McGregor	Wilson,
Hays,	McLean,	

Those who voted in the negative are Messrs

Adams	Manor,	J C Smith,
Beil	McDonald	W R. Smith,
Benj. Cleveland,	McDougald.	Stapleton
Crawford	McMullin,	Stephens,
Crittenden,	Moughon	L. S. Stewart,
Eberhart,	Paris	J. Stewart,
Grant	Phillips.	J. Taylor
Griffin,	Poole	D. W Taylor
Harris,	G. R. Reid,	Thornton,
Hardeinan	R A Robinson	A J Williams
Hawkins	Rowell	H. L. Williams,
Hamilton,	Rucker	Woodward,
Keith,	Rumph,	Young,
Latham,	Shewmake,	

So the bill was lost.

The House took up the report of the committee on the Senate bill to be entitled an act to make permanent the site of the public buildings in the county of Emanuel, at the town of Swainsboro, and to incorporate and appoint commissioners for the same, and to change the name of Swainsboro to that of Paris, and for other purposes.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to protect the turpentine business, and for other purposes, so far as Early is concerned.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to extend the time to purchasers of fractions and square lots of land, sold under the provisions of an act assented to 30th December, 1847

The report was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the Senate bill to be entitled an act to make it penal to cut or haul wood or timber off of lands in Bibb county, without consent of the owner or tenant in possession.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the bill of the Senate to be entitled an act to authorize Joseph Lilley, of Hancock county, to peddle without paying for the privilege.

The report was agreed to. The bill was read the third time and passed.

The House took up the Senate bill to be entitled an act amendatory of the act incorporating the Commissioners of the Academy for the county of McIntosh, assented to December 25th, 1822.

The report was agreed to; the bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to authorize the Road Commissioners of Glynn and Camden counties, to relieve certain persons from road duty, and for other purposes therein mentioned.

The report was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the Senate bill to be entitled an act to provide for the education of the poor, so far as the counties of Habersham and Carroll are concerned, and to require the Ordinary of Chattooga county, to pay the widow of Harrison H. Strange, a certain sum named therein.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to incorporate the Rome Building and Loan Association.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to define the liabilities of executors, administra-

tors, guardians, trustees and certain public officers in certain cases.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the bill to be entitled an act to repeal so much of the 13th section of the 13th division of the Penal Code, as refers to the purchase of cotton or rice from slaves, and to make it, without written permission, punishable by imprisonment in the penitentiary.

The report was agreed to. The bill was read the third time and lost.

The House took up the report of the Special Committee on the memorial of J. J. Scarborough, praying an impeachment of the Hon. Abner P. Powers, Judge of the Macon Circuit, and upon motion of Mr. Hardeman, the report was agreed to.

The House took up the report on the Senate bill to be entitled an act to add an additional section to the 13th division of the Penal Code.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to confer certain privileges upon James M. Cochran, of the county of Greene, and to make valid his acts, and to give him authority to transact business as though of full age.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the bill of the Senate to be entitled an act to alter and amend the 3d section of an act to regulate the general elections in the State, and to appoint the time of meeting of the General Assembly, assented to on the 11th day of February, 1799.

The report was agreed to, and on motion of Mr. Riley, the bill was laid on the table for the balance of the session.

The House took up the report on the Senate bill to be entitled an act to incorporate the town of Palmetto, in Campbell county, and for other purposes therein specified.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to authorize the Inferior Court of Decatur county, to levy an extra tax on the State tax, not exceeding two hundred per centum.

The report was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the Senate bill to be entitled an act to authorize and require the Justices of the Inferior Court of the county of Emanuel, to levy an extraordinary tax, not exceeding one hundred per

cent. on the general State tax, for the purpose of building a new Court House, and for other purposes therein mentioned.

The report was agreed to. The bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to authorize land owners on the Altamaha and Finholoway creek, in Wayne county, to build lumber yards or wharves, and for other purposes.

The report was agreed to, and the bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to incorporate the Georgia and Florida Steam Packett Company.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the bill of the Senate to be entitled an act to authorize the Mayor and Council of the city of Atlanta, to inclose a portion of the State Square in said city, to be used as an open park.

The report was agreed to; the bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to authorize James Herty of Baldwin county, to sell by retail, his present stock of Drugs and medicine, without incurring penalty or forfeiture.

The report was disagreed to; the bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to alter and amend the 5th Section of the 4th division of the Penal Code of this State.

The report was disagreed to; the bill was read the third time and lost.

The House took up the report on the Senate bill to be entitled an act to repeal a portion of the 32d of Henry the VIIIth, and for other purposes.

The report, was agreed to; the bill was read the third time and lost.

On motion of Mr. McDougald, the House adjourned until half-past 7 o'clock, P. M.

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### HALF-PAST SEVEN O'CLOCK. P. M.

The House met pursuant to adjournment,

Mr. Gartrell introduced a resolution returning the thanks of the House to the citizens of Atlanta, for the beautiful map of the city, presented to them; and Mr. Arnold moved

to amend by adding that it should be hung on the walls of the Representative chamber.

The amendment was accepted, and the resolution as amended was agreed to.

The following message was received from the Senate by Mr. Mocre, their Secretary :

*Mr. Speaker*—The Senate has passed the following bills of the House of Representatives, to wit :

A bill to authorize the election of Marshal of Newnan, in the county of Coweta, in the same manner in which commissioners are elected. Also,

A bill to appropriate money for improvements in the Lunatic Asylum.

The Senate has also passed the following bills of the House with amendments, in which they ask the concurrence of the House of Representatives, to wit :

A bill to amend the patrol laws of this State. Also,

A bill to appropriate monies for the purposes therein mentioned.

The Senate has also concurred in the amendment of the House of Representatives, to the bill of the Senate to charter the Savannah and Branchville rail road company.

Mr. McComb from the Committee on Journals, reported that they had examined and compared the Journals with the records, and find them correct as far as completed, and in view of the size of the Journals of this Session, and the large accumulation of business, the committee recommend the adoption of the following resolution, to wit :

*Resolved*, That the recording clerks be allowed thirty days to complete and bring up the Journals, with an index attached to the same.

The report was received and the resolution adopted.

The House took up the report on the bill of the Senate to be entitled an act to amend and explain the 8th section of an act to amend an act to revive the Judiciary system of the State, approved February 16th, 1799, and for other purposes.

The report was disagreed to. The bill was read the third time and lost.

The following message was received from his Excellency, the Governor, through Mr. DeGraffenreid, his Secretary :

*Mr. Speaker*—The Governor has approved and signed the following acts, which have been deposited in the office of the Secretary of the State :

An act amendatory of and additional to an act to alter and amend an act to provide for the compensation of Grand Jurors of Lumpkin county, passed December the 7th, 1843, and also to provide for the compensation of Petit Jurors in the Superior and Inferior Courts of said

county, and also amendatory of and additional to an act to prescribe the mode of compensating the Jurors of the Superior and Inferior Courts of the county of Lumpkin, Habersham and Murray, approved January 15th, 1852, so far as concerns said county of Lumpkin, and for other purposes therein mentioned.

An act to incorporate a bank in the town of Fort Gaines, to be called the South Western Bank of Georgia, and to authorize the establishment of one or more branches of the same.

An act to amend an act entitled an act to compel the several Banks of this State to redeem their liabilities in specie, and to provide a forfeiture of such as may refuse, assented to on the 18th day of December 1840, and an act entitled an act for the relief of certain Banks which have suspended specie payments, against which Judicial proceedings have been instituted for the forfeiture of their charters, assented to on the 16th day of December, 1841, also, an act further amendatory of said acts, assented to on the 13th day of December, 1842, and also an act amendatory of the before recited acts, assented to on the 23d of December 1843.

An act to compel certain parties plaintiffs in Justices Courts to pay the cost before taking out a *capias ad satisfaciendum*, and to provide for the return of commissions by mail.

An act to amend the several laws now in force in relation to free persons of color and to exonerate and discharge certain free persons of color from all pains, penalties and forfeitures heretofore incurred, and to which they are subject and liable.

An act for the protection in certain cases of planters and cotton sellers, within the State of Georgia.

An act to authorize Christian Rauschenburg, of the county, of Whitfield, Tomlinson F. Bruster, a minor, of Cherokee county, Charles Henry Audas of Hancock county, Dr. O. Proffitt of Jasper county, and Joel L. Turner of Elbert to practice Medicine and Surgery in all their branches in any county in this State, without license from the medical board of this State.

An act to increase the compensation of the Tax Receiver of the county of Chatham.

An act to amend an act entitled an act to incorporate the Ogeechee Plank Road Company, and to provide for the punishment of certain offences therein named.

An act to lay out and form a new county from parts of the counties of Early and Randolph, and to organize the same, and to attach it to the 2d Congressional District and to the South Western Judicial Circuit.

An act to amend the Second Section of an act entitled an act to repeal the 48th Section of the Fourth Division of the Penal Code, in so far as it relates to capital cases, and add a new section in lieu thereof, assented to December 27th, 1843.

An act to authorize the proper officers to issue a grant for fraction number two, in the thirty-third District of originally Lee county, to the *bona fide* holder of the certificate for the same, under certain restrictions therein mentioned.

An act to amend an act entitled an act to incorporate the town of Marietta, in the county of Cobb; also, to enlarge the boundary of said town, and incorporate the same, and for other purposes therein specified, approved January 22d, 1852, so as to give the election of Marshal of the city of Marietta to the people, to authorize their removal from office in certain cases therein named, and in those cases make them ineligible to re-election; also, to incorporate the town of Conyers, in the county of Newton, and to appoint commissioners for the same, and for other purposes.

An act to amend the several acts of the General Assembly in regard to the election of Public Printer, and more particularly to prescribe the duties, liabilities and compensation of said officer, and for other purposes.

An act to authorize teachers of Poor Children in the counties of Warren, Crawford, Chattooga, McIntosh and Irwin and others therein named, to furnish books and stationery to such children, and to provide for the payment of the same.

An act to incorporate a Fire Company, in the city of Savannah, to be known by the name and style of Young America.

An act to incorporate a Company in the county of Columbia and State of Georgia, to be known by the name and style of the Columbia Mining Company, and to grant certain privileges thereto and for other purposes therein mentioned.

An act to add an additional section to the thirteenth Division of the Penal Code of the State of Georgia, and to provide for the punishment of free white persons for aiding or assisting negroes or free persons of color, lawfully committed or detained in any jail, to escape therefrom.

An act to incorporate the Oglethorpe Mutual Loan Association, in the city of Savannah.

An act to incorporate the Savannah Hotel Company.

An act to authorize Justices of the Inferior Court to grant orders to hold to bail, in cases arising *ex delicto*.

On motion of Mr. Hardeman the Senate's amendments to



the bill to be entitled an act to appropriate money for the purposes therein mentioned, were taken up, to wit: "To authorize the His Excellency. the Governor, to draw his warrant for the payment for the books bought of Mr White;" which was concurred in.

, 'To pay Lewis Zachary for thirteen days services;" which was agreed to.

"To refund fourteen dollars and seventy five cents excess of tax paid by James E. May, of Fayette county;" which was concurred in.

"To refund fifty one dollars and fifty cents, to George W Fish of Macon county, executor of the estate of Wm. Fish excess of tax paid in 1852;" which was concurred in.

"To refund nine dollars and sixty-eight cents to Daniel Roberts of Laurens county, excess of tax paid by him in 1852;" which was concurred in.

"To appropriate five thousand dollars to pay arrearages due by the State;" which was concurred in.

"To appropriate fifty-five dollars to John A. Breedlove, Sheriff of Baldwin county, as additional compensation for serving subpoenas," &c.; which was concurred in.

"To appropriate ten thousand dollars to the academy for the blind at Macon."

Mr. Cleveland of Habersham moved to strike out "ten thousand dollars."

Upon which question the yeas and nays were required to be recorded, and are: yeas 13, nays 59.

Those who voted in the affirmative are Messrs.

Benj. Cleveland,	Henderson,	Riley,
Fields,	Keith,	Rumph,
Gartrell.	Manor	J C Smith
Griffin,	McLean	
W. P. Harden,	M. Reid,	

Those who voted in the negative are Messrs.

Adams,	Haynie	Leverett,
Anderson,	Harris	Linn,
Andrews,	Harrall,	Mangham,
Arnold	Hardeman,	Maxwell,
Armstrong,	Hays	McComb,
Cameron,	Hardison,	McCurdy,
W. C. Cleveland,	Hamilton,	McDougald,
Crittenden,	Hendrick	McGregor
Dawson,	Hudson,	McMullin
Eberhart	Irwin,	Moughon
Fish	Latham.	Paris,

Phillips	Stapleton,	Turner
Pickett	Stephens,	W A. Walton
Poole,	L S Stewart	J. H. Walton,
Redding,	J Stewart	Walker
G. R. Reid,	Stokes	H L Williams
Richardson,	J. Taylor.	A. J. Williams.
Rowell,	D. W. Taylor	Woodward,
Shewmake,	Thornton,	Young,
W R. Smith,	Trice,	

So the motion was lost, and the amendment was concurred in.

Amendment—"To appropriate \$85 each, to P H Colquitt and G. J. Wright, journalizing clerks of the Senate and House, as extra pay."

Upon which amendment, the yeas and nays were required to be recorded—at the call of Mr. Riley—and are : yeas 48, nays 25.

Those who voted in the affirmative are Messrs.

Adams,	Linn.	W. R Smith,
Anderson	Mangham	Stapleton,
Crittenden,	McComb,	L S Stewart
Dawson,	McDonald,	Stokes
Eberhart	McDougald,	J. Taylor,
Fish,	McMullin,	D W Taylor
Haynie,	Moughon	Thornton,
Harris	Phillips	Trice
Hardeman,	Pickett,	Turner
Hardison,	Poole,	J. H. Walton,
Hamilton,	Redding,	W. A. Walton,
Headen	G R Reid	Walker,
Hendrick	M. Reid,	A J Williams,
Irwin,	Rowell	H L Williams
Latham,	Shewmake,	Woodward,
Leverett,	J C Smith	Young,

Those who voted in the negative are Messrs.

Alread	Gross,	McGregor,
Andrews,	W. P. Harden,	McLean,
Arnold	Harrall	Paris,
Bell	Hays,	Richardson
Cameron,	Hudson,	Riley
Benj. Cleveland,	Keith,	Rumph,
W. C. Cleveland,	Maxwell	J. Stewart,
Fields	Manor,	
Gartrell,	McCurdy,	

So the motion was lost, and the amendment concurred in.

Amendment—"Authorizing his Excellency the Governor, to pay an excess of cost, over appropriation for Public Printing, for the years 1854 and 1855, out of any unappropriated funds;" which amendment was concurred in.

•To appropriate \$5,000 for the blind school in Macon, for each of the years 1854 and 1855.

Upon the motion to concur in the amendment, the yeas and nays were required to be recorded—at the call of Mr. Cleveland of Habersham—and are : yeas 36, nays 42.

Those who voted in the affirmative are, Messrs

Adams	McComb	L S Stewart,
Crittenden	McCurdy,	J. Stewart,
Dawson	McDonald,	Stokes
Eberhart,	McMullin,	J. Taylor,
Grant,	Moughon	D. W. Taylor,
Haynie	Phillips,	Thornton
Harrall,	R. A. Robinson,	Trice
Hardeman,	Rowell	W A Walton
Hardison	Shewmake,	A J Williams
Hamilton,	J C Smith	H L Williams
Hendrick	Stapleton	Wilson
Maxwell	Stephens,	Young,

Those who voted in the negative are Messrs.

Alread,	Harris,	McLean
Anderson,	Hays,	Paris
Andrews	Headen,	Pickett
Arnold	Henderson,	Redding
Armstrong,	Hudson,	G. R. Reid,
Bell	Irwin,	M Reid,
Cameron	Keith	Richardson
Benj. Cleveland,	Latham	Riley,
W. C. Cleveland,	Leverett,	Rumph,
Fields	Linn,	W. R. Smith,
Fish	Mangham	Turner,
Gartrell,	Manor	J. H. Walton,
Griffin,	McDougald,	Walker,
W P. Harden,	McGregor	Woodward,

So the motion to concur was lost.

The following message was received from the Senate by Mr. Moore, their Secretary.

*Mr. Speaker*—The Senate has passed the following bills of the House of Representatives, to wit :

A bill to change the name of the Southern & Western Female College. Also,

A bill to change the mode of appointing the trustees of Glynn County Academy, and to compel their treasurer to give bond and security. Also,

A bill to create an election precinct in the 1087th District G. M., on lot of land No, 731, 19th District, 3d Section of Paulding county; also, to establish a precinct in the 886th District, G. M., in Talbot county; and other election precincts therein named. Also,

A bill to authorize John Thompson of Heard county, to construct a mill dam across the Chattahoochee river, at Bushy Head Shoals.

The Senate has also passed the following bills of the House of Representatives, with amendments, in which they ask the concurrence of the House, to wit :

A bill to refund to Francis Xavier Gartland, a double tax. Also,

A bill to alter the time of holding the Superior Courts of Worth county. Also,

A bill to prevent the poisoning and destruction of fish in Dooly county.

The Senate has also agreed to a resolution, requesting the Governor to have published in both of the gazettes of Milledgeville, such of the acts of the present session, as are of a general nature, and that the State Printer, print with the Acts only those resolutions which are of a general nature.

The House took up the amendments of the Senate, to the bill to be entitled an act to amend the patrol laws of this State, and concurred in the same.

The House took up the Senate's amendments to the bill to be entitled an act to refund to Francis Xavier Gartland, a double tax, and concurred therein.

The House took up the report on the Senate's bill, to be entitled an act to alter and amend a part of the 1st section of the 3d article of the Constitution.

The report was agreed to. The bill was read the third time and passed.

The House took up the report on the Senate's bill to be entitled an act to incorporate the Rome Chapter No. 26, and Etowah Council No. 12, of Free and Accepted Masons, at the city of Rome, in Floyd county, and certain other Lodges therein mentioned, and for other purposes.

On motion of Mr. Walker, the bill was laid on the table for the balance of the session.

The House took up the report of the committee on the Senate's bill, to be entitled an act to amend the laws in relation to deeds of conveyance.

The report was agreed to. The bill was read the third time and lost.

The House took up the Senate's amendments to the bill to be entitled an act to alter and fix the times of holding the Superior Courts of Worth county, as designated by the law creating said county; and also, to change the time of holding the Superior and Inferior Courts of other counties therein mentioned.

The amendments were concurred in.

The House took up the Senate's amendments to the bill to be entitled an act to prevent the poisoning and destruction of fish, in the county of Dooly.

The amendments were concurred in.

The House took up the report of the committee, on the Senate's bill to be entitled an act to authorize and require the Inferior Court of Polk county, to examine and allow to the Tax Collector of said county, the insolvent lists, in lieu of the Grand Juries of said county.

The report was agreed to. The bill was read the third time and passed.

The House up the report of the committee, on the Senate's bill to be entitled an act to authorize certain persons therein named, to practice medicine on the Eclectic and Homœopathic Systems, and charge and receive compensation for the same.

On motion of Mr. Turner, the bill was laid on the table for the balance of the session.

The House took up the report of the committee, on the Senate's bill to be entitled an act to repeal an act entitled an act to prevent owners of land lying on both sides of the rivers Oostenaula, Connasauga and Coosawattee, to erect mill dams, or fish dams, across the same, upon certain conditions, and for other purposes.

On motion of Mr. McCurdy, the bill was laid on the table for the balance of the session.

The House took up the bill of the Senate to be entitled an act to add the county of Carroll to the fourth Congressional District; the county of Wilkinson to the first Congressional District; the county of Twiggs to the third Congressional District.

Mr. McDougald called for the previous question.

Mr. Riley moved to postpone the bill until to-morrow morning.

Upon which motion the yeas and nays were required to be recorded, at the call of Mr. McDougald, and are: yeas 38, nays 33.

Those who voted in the affirmative are, Messrs.

Alread,	Armstrong	Benj. Cleveland,
Anderson,	Bell	W. C. Cleveland,
Arnold	Brown	Dawson

Eberhart	McMullin,	Stephens,
Grant,	Paris,	Stokes
W. P Harden	Phillips	Thornton,
Harris,	Pickett	Turner
Harrall,	G. R. Reid	W A Walton
Hudson,	Richardson,	Walker,
Irwin,	Riley	A J Williams
Manor,	Shewmake,	Wilson,
McCurdy	J C Smith	Woodward,
McGregor,	Stapleton,	

Those who voted in the negative are, Messrs.

Adams,	Henderson,	M. Reid,
Andrews	Hendrick	R. A. Robinson,
Crittenden	Latham	Rowell
Fields.	Linn	Rumph,
Fish	Mangham,	W R Smith,
Gartrell,	McComb	L S Stewart,
Griffin	McDougald,	J Taylor
Haynie	McLean,	D W. Taylor
Hays,	Moughon	Trice
Hardison,	Poole,	H. L. Williams,
Hamilton	Redding,	Young.

So the motion to postpone prevailed.

The House took up the report of the committee on the Senate bill to be entitled an act to incorporate the Savannah and Albany Rail Road Company with power to extend the said road and construct branches, and to amend the acts incorporating the Georgia Rail Road and Banking Company, and to change the name of said Savannah and Albany Rail Road Company.

The report was agreed to. The bill was read the third time and passed.

The House took up the Senate bill to authorize the Justices of the Inferior Court of Hancock county to take stock to the extent of one hundred thousand dollars in the Warrenton and Macon Rail Road via Sparta and Milledgeville, and to authorize certain other counties therein mentioned, and the city of Albany to take stock in the Brunswick and Florida Rail Road.

Amended by striking out "the counties of Hancock and Decatur."

The report, as amended, was agreed to; the bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to authorize amendments to the short form

of writs prescribed by acts of 1847, 1849 and 1850, and for other purposes.

The report was disagreed to. The bill was read the third time and lost.

The House took up the report on the Senate bill to be entitled an act to incorporate the Walton Steam Mill Company, and for other purposes.

The report was agreed to; the bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to incorporate the Athens Building and Loan Association, and to extend the corporate limits of Monroe, Walton county.

The report was agreed to; the bill was read the third time and passed.

The House took up the Senate report on the bill to be entitled an act to exempt the practising physicians of Effingham county from Jury duty.

The report was disagreed to. The bill was read the third time and lost.

The House took up the report on the bill to be entitled an act to authorize the Trustees of Carrollton Academy to sell the same and vest the proceeds thereof in the Carrollton Seminary.

The report was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the Senate bill to be entitled an act compelling the tax receivers and collectors of the county of Jasper to visit the house of all widows in said county before returning them as defaulters.

The report was agreed to; the bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to amend the laws relative to electing Judges of the Superior Courts of this State.

Mr. McDougald offered an amendment, which was adopted.

The report, as amended, was agreed to; the bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to authorize the Inferior Courts of Lumpkin, Worth and Forsyth counties to levy an extra tax for county purposes.

On motion, laid on the table for the balance of the session.

The House took up the Senate bill to be entitled an act to alter and amend the road laws of this State, so far as they relate to Wilkes, Lumpkin, Laurens, Lincoln and Columbia counties.

Amended by striking out "Lumpkin county."

The report, as amended, was agreed to; the bill was read the third time and passed.

The following message was received from the Senate, by Mr. Moore, their Secretary:

*Mr. Speaker*—The following bills of the House have been passed by the Senate, to wit:

A bill to require his Excellency, the Governor, to draw his warrant on the Treasury in favor of the Ordinary of Sumter county for a certain sum of money therein mentioned.

A bill to prevent the firing of any lands, woods or marshes, &c., in the county of Thomas.

A bill to allow widows of persons dying intestate to choose and select their respective portion of the negroes of such estates, provided the same can be done without exceeding their distributive shares.

A bill to authorize E. Y. Doyle, of the county of Baldwin, to practice physic on the homœopathic system, and to charge and collect compensation for his services. Also,

An act to authorize the Governor to draw his warrent upon the Treasury for fifty-seven dollars and seventy-seven cents, in favor of George Davis; also, in favor of John B. Walker, for five dollars and fifty cents, the same being the amount overpaid by them for taxes to the State. Also,

A bill to amend an act entitled an act to authorize certain persons therein named to practice physic on the homœopathic system, and charge and collect compensation for their services, approved January 22d, 1852. Also,

A bill for the benefit of John A. Morris, late tax collector of the county of Montgomery. Also,

A bill to amend the insolvent laws of this State. Also,

A bill to amend an act to alter and amend the several Judiciary Acts now in force in this State, so far as relates to the Justices Courts, approved December 14th, 1811. Also,

A bill to facilitate the collection of executions issued by the Mayor and Council of the city of Columbus, and for other purposes.

They have also passed the following bills of the House, with amendments, in which they ask the concurrence of the House, to wit:

A bill to amend an act entitled an act to prescribe the mode of laying out private ways and for other purposes, approved January 17th, 1852, and to require Sheriffs and their Deputies to superintend the opening and laying out of private ways. Also,

A bill for the relief of James Grenade, tax collector of the county of Wilkinson.

The House took up the report on the bill of the Senate to be entitled an act to alter and amend an act passed and approved 17th December, 1837, to authorize Justices to compel discoveries at common law.



The report was agreed to; the bill was read the third time and passed.

The House took up the report of the committee on the Senate bill to be entitled an act to authorize the commissioner of the Poor School Fund of Monroe county to pay the account of teachers for the tuition of poor children for the years 1852 and 1853, not rendered in within the time required by law.

The report was agreed to. The bill was read the third time and passed.

The House took up the report of the committee on the bill of the Senate to be entitled an act to compel non-resident defendants in cases of forcible entry, forcible detainer, or forcible entry and detainer, to give bond and security in certain cases.

The report was agreed to; the bill was read the third time and passed.

The House took up the report on the Senate bill to be entitled an act to incorporate the Atlanta Irish Volunteers.

The report was agreed to; the bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to incorporate the Cherokee Copper Company of Georgia.

The report was agreed to; the bill was read the third time and passed.

The House took up the Senate bill to be entitled an act to change the line between the counties of Warren and Taliaferro.

The report was agreed to; the bill was read the third time and passed.

The House took up the report on the bill of the Senate to be entitled an act to incorporate the Laurenceville Lodge No. 131, of Free and Accepted Masons.

The report was agreed to.

On motion of Mr. McMullen, the bill was laid on the table for the balance of the session.

The House took up the report on the bill to be entitled an act to incorporate the Madison and Gordon Telegraph Company.

The report was agreed to; the bill was read the third time and passed.

The House took up the Senate amendment to the bill to be entitled an act to incorporate the Fort Gaines Rail Road Company, and for other purposes therein mentioned.

The Speaker decided the amendment out of order, and the House refused to concur.

Mr. Stapleton offered the following resolution, which, on motion, was taken up, read and adopted.

It appearing that a bill to be entitled an act to amend the

tenth section of the tenth division of the Penal Laws of this State, which passed the Senate and has been twice read in this House, has been lost or misplaced so that it cannot be found. Therefore,

*Resolved*, That the Clerk of this House apply to the Senate for a certified copy of said bill as it passed the Senate,

The House took up the Senate amendment to a bill to be entitled an act for the relief of James Grenade, tax collector of the county of Wilkinson, and concurred in the same.

The House took up the Senate amendment to the bill to be entitled an act to amend an act to prescribe the mode of laying out private ways, &c., approved January 17th, 1852, and for other purposes therein mentioned, and concurred in the same.

The following message was received from the Senate by Mr. Moore, their Secretary:

*Mr. Speaker*—The Senate has passed the following bills of the House of Representatives, to-wit:

A bill to extend the corporate limits of the town of Hamilton, in the county of Harris.

A bill to alter and change the name of John Andrew Turner, of the county of Baldwin, to John Andrew Barclay.

A bill for the relief of free persons of color subject to taxation.

A bill to incorporate the Columbus Gas Light Company, and to change the name of the Ladies' Benevolent Society of the city of Columbus.

A bill for the relief of John Huie, of the county of Fayette,

They have also passed the bill of the House to incorporate the Fort Gaines Rail Road Company, and for other purposes therein mentioned, with amendments, in which they ask the concurrence of the House.

They have also concurred in the amendments of the House to the following bills of the Senate, to wit:

A bill to organize the new county of Charlton, from the county of Camden.

A bill to incorporate the Georgia and Alabama Rail Road Company.

A bill to alter the lines between the fourth and sixth districts of Troup county, and to change the lines between certain counties therein mentioned.

A bill to incorporate the town of Irwinton, in the county of Wilkinson.

A bill to change the name of Mary Susan Clack, of Pike county, to that of Mary Susan Neal, and to change the names of certain other persons therein mentioned and legitimize them.

A bill to extend the limits of prison bounds for honest debtors in the county of Bibb.

A bill to prevent the killing of deer at certain periods of the year in the county of Burke.

On motion of Mr. Walker, his resolution in relation of the Rabun Gap Rail Road was taken up and read.

Pending further action, on motion of Mr. Trice, the House adjourned until to-morrow morning, half-past nine o'clock.

## FRIDAY, FEBRUARY 17th, 1854.

The House met pursuant to adjournment.

Mr. Walton moved to reconsider so much of the Journals of yesterday, as related to the rejection of the bill to be entitled an act to authorize the Georgia Rail Road & Banking Company, to incorporate into their road, a new Rail Road to be built from Warrenton to Macon, via Sparta and Mill-edgeville; which was agreed to, after being amended by adding a requirement "that a two-thirds vote of the stockholders should be necessary to make said agreement effective and binding."

Mr. Irwin moved to concur in the amendment.

Upon which motion, the yeas and nays were required to be recorded—at the call of Mr. Stewart, of Hancock—and are; yeas 37, nays 36.

Those who voted in the affirmative are Messrs.

Alread,	Maxwell	Stapleton,
Anderson,	McComb	Stephens
Arnold	McMullin,	L S Stewart
Bell	Moughon	Thornton,
Calloway,	Paris	Trice
Cameron,	Powell	Turner,
Champion	Redding,	W.A. Walton,
W. C Cleveland,	Richardson,	J. H, Walton,
Dawson	R A Robinson	Walker.
Eberhart	Rowell	A J Williams
Haynie	Rucker	Woodward
Harrall,	Shewmake,	
Irwin,	W Smith	

Those who voted in the negative are, Messrs.

Adams,	Brown	Crittenden,
Andrews	Benj. Cleveland,	Denham,
Boatright	Crawford,	Fields,

Gartrell,	Hudson,	G. R. Reid,
Grant,	Keith	M. Reid,
Harris	Linn	Riley
Hays,	Mangham,	Rumph
Hawkins,	Manor,	W. Smith,
Hardison	McGregor,	Stokes,
Hamilton,	McLean,	D W Taylor
Headen	Phillips,	Whitworth
Henderson	Pickett,	Young,

So the motion was agreed to.

And upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded—at the call of Mr. Stewart, of Hancock—and are : yeas 35, nays 39.

Those who voted in the affirmative are, Messrs.

Anderson,	Mangham,	Wm. Smith,
Brown,	Maxwell,	Stapleton,
Calloway,	McComb	L. S Stewart
Cameron	McMullin,	J Stewart
Champion	Moughon	Thornton,
W. C. Cleveland,	Paris	Turner,
Dawson,	Powell	J. H. Walton,
Hayne,	Redding,	W. A. Walton,
Harris,	Richardson,	Walker,
Harrall	Riley,	A J Williams
Irwin,	Rucker	Woodward
Latham	Shewmake,	

Those who voted in the negative are, Messrs.

Adams,	Hardison,	McLean,
Alread,	Hamilton,	Phillips,
Andrews,	Headen,	Pickett,
Boatright,	Henderson,	G. R. Reid,
Benj. Cleveland,	Hudson,	Rumph,
Crawford,	Keith,	R A Robinson
Crittenden,	Leverett	J C Smith
Denham,	Linn	W. R Smith,
Fields,	Manor,	Stokes
Gartrell,	McCurdy,	D. W. Taylor
Grant,	McDonald,	Trice
Hays,	McDougald,	Whitworth,
Hawkins	McGregor	Young.

So the bill was lost.

Mr. Shewmake moved to reconsider so much of the Journals of yesterday, as relates to the passage of the bill to be entitled an act to alter and amend the road laws, so far as they relate to McIntosh county, and to the residents on Sapelo Island, &c., approved the 22d of January. 1852.

Upon which motion, the yeas and nays were required to be recorded—at the call of Mr. Shewmake—and are : yeas 31, nays 42.

Those who voted in the affirmative are, Messrs.

Alread'	Maxwell,	Shewmake
Anderson,	McComb	J C Smith
Cameron,	McCurdy	Stephens,
Dawson,	McLean	L S Stewart
Fields,	McMullin,	Thornton
Grant	Paris,	Turner,
Harris,	Phillips	Walker
Harrall,	Powell,	A J Williams
Irwin,	Richardson	Woodward.
Latham,	Riley	
Mangham,	Rucker	

Those who voted in the negative are Messrs.

Adams,	Hardison,	M. Reid,
Boatright	Hamilton,	R. A Robinson,
Brown,	Headen	Rowell
Calloway	Henderson,	Rumph
Champion	Hudson.	W R. Smith,
Benj. Cleveland,	Leverett	W. Smith,
W. C. Cleveland,	Linn	Stapleton
Crawford,	Manor	J. Stewart
Crittenden	McDonald	Stokes,
Fish	McDougald,	J Taylor
Gartrell	McGregor,	D W Taylor
Griffin	Moughon,	Trice.
Haynie	Pickett	Whitworth,
Hays,	Redding,	H L Williams
Hawkins,	G. R. Reid	Young,

So the motion was last.

Mr. Thornton moved to reconsider so much of the Journals of yesterday, as relates to the rejection of the amendment to the appropriation bill, appropriating five thousand dollars for the support and maintenance of the Institution for the Blind, located in Macon.

Upon which motion, the yeas and nays were required to be

recorded—at the call of Mr. McDougald—and are : yeas 38, nays 37.

Those who voted in the affirmative are Messrs.

Adams,	Linn	W. R. Smith,
Boatright	Maxwell,	Stapleton,
Bridges	McComb	Stephens
Brown,	McCurdy,	L. S. Stewart,
W. C. Cleveland,	McMullin,	Stokes
Crawford,	Paris,	D. W. Taylor,
Dawson	Phillips	Thornton
Denham.	Powell	Trice,
Grant	Redding,	Turner,
Haynie	R A Robinson	Walker,
Harrall,	Rowell,	H L Williams
Hardison,	Rucker	A J Williams
Latham	J. C. Smith,	

Those who voted in the negative are, Messrs.

Alread,	Hamilton,	Pickett
Anderson	Headen,	G. R. Reid.
Arnold	Henderson,	M. Reid,
Cameron	Hudson	Richardson,
Champion	Irwin,	Riley
Benj. Cleveland,	Keith	Rumph,
Crittenden	Mangham,	Shewmake,
Fields,	Manor,	J. H. Walton,
Gartrell,	McDonald	Whitworth,
Griffin	McDougald	Woodward,
Harris,	McGregor,	Young,
Hays,	McLean	
Hawkins,	Moughon	

So the motion prevailed.

On motion of Mr. Thornton, the amendment was taken up.

Mr. Thornton moved to strike out "five thousand dollars ;" which was agreed to.

Mr. Thornton then moved to fill the blank with "two thousand five hundred dollars ;" which was agreed to : and the amendment, as amended, was concurred in.

Mr. McLean offered the following resolution, which was agreed to, to wit :

*Resolved*, That a committee of three, be appointed to attend to bringing up the unfinished business of this House, and that they be allowed ten days for that purpose.

Mr. Rucker moved to reconsider so much of the Journals of yesterday, as relates to the rejection of the bill to be entitled an act to prevent delays in collecting debts against estates, and for other purposes specified ; which motion was lost.

Mr. Gartrell moved to reconsider so much of the Journals of yesterday, as relates to the action on the bill to be entitled an act to compel discoveries in Justices Courts ; which motion was lost.

On motion of Mr. McDougald, the report and resolution, authorizing the Governor to appoint Commissioners to repair to Tennessee, to settle the difficulties between that State and the Western & Atlantic Rail Road, were taken up, read and adopted.

By unanimous consent of the House, the bill to be entitled an act to authorize the Georgia Rail Road to incorporate the Warrenton and Macon Rail Road, to be built—lost this morning—was reconsidered ; and the same was amended in the caption, so as to read, “a bill to be entitled an act to amend the charter of the Milledgeville Rail Road, and confer certain powers on the same.”

. The 1st and 2d Sections were stricken out ; the 3d and 4th Sections amended, and made the 1st and 2d Sections.

Mr. Redding moved to amend by making the Rail Road Company, liable for all damages and deaths of stock and passengers, throwing the burthen of exculpatory proof upon the company ; also, to render said Rail Road Stock, subject to taxation ; which was agreed to.

The report, as amended, was agreed to. The bill was read the third time and passed.

The House then proceeded with the unfinished business of yesterday, which was the consideration of the resolution requiring his Excellency, the Governor, to investigate the facts in relation to the organization of the Rabun Gap Rail Road Company.

Mr. Walker called for the previous question. The call being sustained, the main question, which was on the adoption of the resolution, was ordered to be put ; and upon the question of its adoption, the yeas and nays were required to be recorded—at the call of Mr. Young—and are : yeas 40, nays 29.

Those who voted in the affirmative are Messrs.

Alread  
Anderson,  
Andrews  
Arnold,  
Bell  
Boatright,

Calloway,  
Cameron  
Champion,  
Fields  
Fish,  
Grant

Harris,  
Harrall  
Hays  
Headen  
Irwin,  
Maxwell

McComb	Riley,	W. A. Walton,
McCurdy,	Shewmake	Walker
McGregor	Stapleton,	Whitworth,
McMullin	Stephens,	A J Williams
Moughon	L. S. Stewart,	H. L. Williams,
Pickett,	J Stewart,	Woodward
Powell	Trice	
Redding	Turner,	

Those who voted in the negative are, Messrs.

Adams	Hudson,	Phillips
Benj. Cleveland	Keith,	G. R. Reid,
W C Cleveland	Latham,	M. Reid,
Crawford,	Linn	Richardson,
Dawson	Mangham	R A Robinson
Griffin	Manor,	Rucker
Haynie	McDonald,	Rumph
Hawkins,	McDougald,	J Taylor
Hardison	McLean	Young
Henderson,	Paris	

So the resoluton was adopted.

The House took up the report on the bill to be entitled an act to add the county of Carroll to the fourth Congressional District, Wilkinson to the first, and Twiggs to the third.

Mr. Arnold moved to lay the bill on the table for the balance of the session, and called the previous question. There not being a quorum voting, Mr. McCurdy moved a call of the House, which being done, a quorum was found to be present, and the call for the question was sustained, and the main question was ordered to be put ; and upon the motion to lay upon the table, the yeas and nays were required to be recorded, and are : yeas 27, nays 49.

Those who voted in the affirmative are, Messrs.

Alread	Grani	Rucker
Anderson,	Harris	Shewmake,
Arnold	Irwin	Stapleton,
Bell	Maxwell,	Stephens.
Calloway.	Manor	L S Stewart
Cameron	McMullin,	Thornton,
Champion	Phillips	W. A. Walton,
Benj. Cleveland	Powell	A. J. Williams,
Dawson,	Riley,	Woodward,



Those who voted in the negative are, Messrs.

Adams	Hudson,	G. R. Reid,
Andrews	Keith,	M. Reid
Boatright	Latham	R A Robinson
W. C. Cleveland,	Leverett,	Rumph
Crawford,	Linn	W. R. Smith,
Crittenden	Mangham	J. Stewart,
Denham,	McComb	Stokes,
Fields,	McCurdy	J Taylor
Fish,	McDonald,	D. W. Taylor.
Griffin,	McDougald	Trice
Haynie	McGregor	Turner
Harrall,	McLean,	Walker,
Hays	Moughon	Whitworth,
Hawkins,	Paris,	H L Williams
Hardison,	Pickett	Young,
Headen	Redding	
Henderson		

So the motion was lost.

Mr. McCurdy moved to strike out the counties of Twiggs and Wilkinson, which motion was lost, and upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded, at the call of Mr. Shewmake, and are: yeas 45, nays 12.

Those who voted in the affirmative are Messrs.

Adams	Headen,	G R Reid
Andrews	Henderson,	M. Reid,
Boatright	Hudson,	Richardson,
W. C. Cleveland,	Keith	R A Robinson
Crawford,	Latham	Rumph,
Crittenden	Leverett,	W Smith
Denham,	Linn,	W. R. Smith,
Fields,	Mangham	J. Stewart,
Fish,	Mays	Stokes
Hartrell,	McDonald,	J. Taylor,
Griffin,	McDougald,	D W Taylor
Hays,	McLean	Trice,
Hawkins	Moughon	Whitworth
Hardison,	Pickett,	H L Williams
Hamilton,	Redding,	Young

Those who voted in the negative are, Messrs.

Alread	Calloway	Haynie
Anderson	Benj. Cleveland.	Irwin

Paris,  
Phillips,

Powell  
Turner

W. A. Walton,  
Walker

There being no quorum, Mr. Young moved a call of the House, and no quorum was found to be in the House.

Pending which, the following message was received from his Excellency, the Governor, by Mr. Briscoe, his Secretary.

*Mr. Speaker*—The Governor has approved and signed a resolution, that both branches of the General Assembly will adjourn *sine die*, on Friday, the 17th of February, which is deposited in the office of the Secretary of State.

Mr. Phillips moved to lay the bill on the table for the present, upon which the yeas and nays were required to be recorded, at the call of Mr. McDougald, and are : yeas 33, nays 37.

Those who voted in the affirmative are, Messrs.

Alread,	Harrall,	Stapleton
Arnold	Irwin,	Stephens,
Bell	Maxwell,	L. S. Stewart,
Calloway,	McCurdy,	Stokes
Cameron,	McMullin,	Thornton,
Champion	Paris	Turner,
Benj. Cleveland,	Phillips,	J. H. Walton,
Crawford,	Powell,	W A. Walton,
Grant,	Riley	Walker,
Haynie,	Rucker	H. L. Williams,
Harris,	Shewmake,	Woodward,

Those who voted in the negative are, Messrs.

Andrews	Headen,	M. Reid,
Boatright	Latham	Richardson,
W C. Cleveland,	Leverett,	R A Robinson
Crittenden	Linn	Rumph,
Dawson	Mangham	W R. Smith,
Denham,	McDonald,	J. Stewart,
Fields,	McDougald,	J. Taylor
Fish,	McGregor,	D. W. Taylor,
Gartrell	McLean,	Trice,
Griffin,	Moughon	Whitworth,
Hawkins,	Pickett,	Young,
Hardison	Redding,	
Hamilton,	G R Reid	

So the motion was lost.

They have also agreed to the following resolutions of the house, to wit :

A resolution requesting his Excellency, the Governor, to transact the affairs of this State, with the Bank of the Republic, in the city of New York.

A resolution, recommending Samuel F Crump, of Augusta, to the President of the United States, for an appointment in the Army. Also,

A resolution that each member of the General Assembly be furnished with a copy of the acts and Journals of the present session. Also,

A resolution, appreciative of the services of Major George Taylor, in the Army of the United States.

The following message was received from the Senate, by Mr. Moore, their Secretary.

*Mr. Speaker*—The Senate have receded from their amendment to the bill of the House, defining the liability of Railroad Companies for damage to property, &c.

The Senate have also concurred in the amendment of the House, to the bill of the Senate, amending the laws relative to the election of Judges of the Superior Courts of this State.

Mr. Stapleton, from the Committee of Enrolment, reported as duly enrolled, the following bills, to wit :

A bill to be entitled an act to authorize a grant to issue to William T. Williamson, for lot of land No. 122, 2d District, 4th Section, of land lottery of 1827.

A bill to be entitled an act, to extend the the corporate limits of Hamiltor, Harris county, Georgia, and other places herein named, and to incorporate Trenton, Dade county, Georgia.

A bill to be entitled an act to amend the Insolvent laws of this State.

A bill to be entitled an act to alter and change the mode of appointing Trustees for Glynn county Academy, and for other purposes.

A bill to be entitled an act to making penal the firing of woods, lands and marshes. in the county of Thomas, and for other purposes.

A bill to be entitled an act to authorize Patrick Goff, of Lee, and Elijah E. Stafford, of Tattnall counties, to establish ferries, and for other purposes.

A bill to be entitled an act to alter and amend the several judiciary acts, now in force in this State. so far as relates to Justice's Courts, approved December 14th, 1811.

A bill to be entitled an act, to allow widows to select their proportionate part of negro property and for other purposes.

An act to incorporate the Columbus Gas Light Company, and to alter and change the name of the Ladies Education

Benevolent Society, of the Methodist Episcopal Church, of the city of Columbus, to that of the Ladies Education and Benevolent Society, of the city of Columbus.

An act to amend an act entitled an act, to authorize certain persons therein mentioned, to practice Physic on the homoeopathic system, and to charge and collect compensation for their services, approved January 22d, 1852.

A bill to authorize the election of Marshal, for the town of Newnan, in the county of Coweta.

Mr. Gartrell, from the Committee on enrolment, reported as duly enrolled, the following bills, to wit :

A bill to amend an act entitled an act to make permanent the site of the public buildings, for the county of Marion, in the town of Buena Vista, and to incorporate said town, approved January 26th, 1850, to repeal certain provisions therein mentioned, and for other purposes.

A bill to incorporate a volunteer corps of infantry, at Thomasville, in the county of Thomas, to be known by the name and style of the Thomasville Guards, to authorize the Governor, to furnish them with arms and accoutrements and to grant certain privileges and exemptions to the same.

A bill to remove an election precinct from the house of Mrs Anny Greers, in the 373d district, Georgia Militia, of Jasper county, to the house of Moses Chaffin, in said county and District.

A bill to be entitled an act to provide for the filling of vacancies in the offices of Clerks and Sheriffs, in the several counties of this State, and for other purposes.

A bill to change the name of William Riley Rogers of Campbell county, and legitimatize the same.

A bill to compensate Allen C. Harbin and others, of Richmond county, for services rendered.

A bill to change the boundary line of the county of Harris, so as to add the north half of lot No. 108, in the 5th District, of originally Troup, but now Harris, to the county of Troup.

An act to authorize the election of Marshal, for the town of Newnan, in the county of Coweta, in the same way and manner as commissioners for said town are now elected by law.

An act for the relief of P. L. J. May, of the county of Macon.

An act to incorporate the Savannah Lumber Manufacturing & Planing Machine Company.

An act to incorporate the Tocoah Mining Company, and for other purposes.

A bill to be entitled an act to refund certain monies to the county of Cobb.

A bill to make permanent the election precinct, for the 1087th District, Georgia Militia, of Paulding county.

A bill to be entitled an act to revive and amend an act to

regulate and keep in repair the public roads, causeways and bridges, approved December 13th, 1809, so far as relates to the county of Burke.

A bill to authorize John Thompson, of Heard county, to construct a mill dam, partly across the Chattahoochee River at or near the Bushy Head Shoals, in said county.

A bill to alter and amend an act for the relief of Sheriffs in certain cases, passed the 22d December, 1829, so far as relates to the Sheriffs of Lowndes county.

A bill to be entitled an act to change the name of the Southern and Western Female College.

A bill to be entitled an act to levy and collect a tax for each of the political years 1854 and 1855, and thereafter until repealed.

A bill to be entitled an act to repeal an act entitled an act to extend the civil jurisdiction of the Justices of the Peace of the city of Savannah, and to compel Justices of the Peace and Constables of county Districts in the county of Chatham to be residents of the Districts of which they are elected, assented to the 21st day of December, 1835, so far as the civil jurisdiction of the Justices of the Peace for the 1st, 2d, 3d and 4th Districts, Georgia Militia, in the city of Savannah are concerned, and to establish rates of fees of Magistrates and Constables in the city of Savannah.

A bill to be entitled an act to compensate Managers of Elections, in the counties of Lincoln, Twiggs and Scriven.

A bill to be entitled an act to incorporate the stockholders of the Montgomery and West Point Rail Road Company in the State of Georgia, to give them the right to extend the Opelika branch of their Rail Road across the river Chattahoochee, and locate a depot on their own land in Georgia, and for other purposes.

A bill to be entitled an act to incorporate the Gum Log Mining Company, also, to incorporate the Fighting Town Mining Company, and to grant certain powers and privileges to the same.

A bill to be entitled an act to settle and fix the hours of labor by all white persons, under twenty-one years of age, in all cotton, woollen and other manufacturing establishments in this State, and to make all contracts to labor in said factories for a greater length of time than herein prescribed null and void, and punish violations of this act.

A bill to be entitled an act to create an election precinct in the 1087th District, Georgia Militia, on lot of land 731, in the 19th District, 3d Section of Paulding county; also, an election precinct at the Justices Court Ground, in the 886th District, Georgia Militia, known as Mason's precinct, in the county of Talbot, and to establish precincts in the other counties mentioned.

A bill to be entitled an act to grant to Ishmael Brannon,

of Talbot county the right and privileges of making a crossing place upon the 30th Section of the Muscogee Rail Road, near the village of Geneva, in Talbot county, and for other purposes therein named.

The House took up the Senate resolution requiring the Governor to forward the Laws and Journals of the present session of the Legislature to the Coroners of the several counties of the State, and concurred therein.

The House took up the Senate resolution requesting the Governor to have published in the public journals of Milledgeville such acts of the present session as are of a general character, and requiring the State Printer to print with the acts, only those resolutions that are of a general and public nature, and disagreed thereto.

The House took up a resolution of the Senate authorizing his Excellency the Governor to employ an efficient lawyer, who, together with the counsel already employed by the State's agent in Tennessee, shall conduct the suits which have originated from the Western & Atlantic Rail Road to a full issue, by compromise, arbitration or otherwise, as to them may appear best calculated to promote the interests of Georgia.

On motion of Mr. McCurdy, the resolution was laid on the table for the balance of the session.

The House took up the Senate resolution requesting his Excellency the Governor to respite George W. Ray (upon his application) until the next session of the General Assembly, and concurred in the same.

The following message was received from his Excellency the Governor, Mr. DeGraffenreid, his Secretary :

*Mr. Speaker*—The Governor has approved and signed the following acts, which have been deposited in the office of the Secretary of State :

An act to authorize the Governor to issue State bonds in lieu of the outstanding bonds of the Central Bank, and to provide for the issuing of certain other bonds.

An act to incorporate Jasper Lodge, No. 50, of Free and Accepted Masons, of the town of Monticello, Jasper county.

An act to authorize the commissioners of the Georgia Asylum of the Deaf and Dumb to apply and expend a portion of the annual appropriation for certain purposes therein named.

An act to compensate Grand and Petit Jurors of the counties of Clarke and Wilkinson.

An act to incorporate the town of Fairburn, in the counties of Fayette and Campbell.

An act for the relief of John F. Green, one of the securities of Allen B. Powell, formerly Tax Collector of the county of McIntosh, and to release him from the payment of twenty-five per centum per annum interest on a *fi. fa.*, issued by

the Comptroller General of this State against said Allen B. Powell, Tax Collector aforesaid, and John F. Green and one Henry T. Hall as his security, on the 26th day of May, A. D. 1843, and for other purposes.

An act to incorporate a company to be known by the name and style of the Marietta Fire Company, and to give them certain privileges and exemptions.

An act to incorporate a bank in the city of Savannah called the Mechanics and Traders Bank.

An act to incorporate the Washington and Petersburg Rail Road Company.

An act to amend the several Road Laws of this State, so far as relates to the county of Chatham.

An act to compel persons living in the county of Wayne to give in and pay their taxes in said county for all the property they may own in the State, and for other purposes.

An act to refer the question of removal and location of the Seat of Government of the State of Georgia to the legal voters of said State.

An Act to repeal the third Section of an Act to incorporate the town of Eatonton, to regulate licences therein, and to change the time of electing commissioners, and for other purposes, approved January 22d, 1852, and to amend an act incorporating the town of Cassville, in the county of Cass, passed on the 27th day of December, 1843, and to extend the corporate limits of the town of Thomasville.

An Act to alter and change the line between the counties of Clarke and Jackson and Houston and Dooly, so that lots of land Nos. 80 and 81, of the third District of Dooly county, and the residences of James Smith and William F. Griffin, of Dooly county, shall be added to and included in the county of Houston.

An act to amend the several acts now of force in relation to the Muscogee rail road, so far as to change the time for the election of President and Directors of said company, and for other purposes therein named.

An act for the relief of William Crowell and Wm E. Rousseau of the county of Dekalb.

An act more effectually to prevent trading with slaves, and furnishing them with intoxicating liquors, and to prohibit Indians in Talbot county from selling or furnishing liquor to slaves.

An act to incorporate the Wilkes Plank or Railroad company. Also,

A resolution of the committee on Banks, on the bank of Darien.

The committee appointed under the resolution to appoint a committee of three to bring up the unfinished business of the session are: Messrs. Phillips, McComb and Shewmake.

On motion of Mr. McLean, the House adjourned until 3 o'clock P. M.

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### THREE O'CLOCK, P. M.

The House met pursuant to adjournment,

There being no quorum, on motion of Mr. Phillips, the Messenger and Door Keeper were directed to bring the members not having leave of absence.

The following message was received from the Senate by their Secretary, Mr. Moore, to wit :

*Mr. Speaker*—The Senate insist on the amendment to the bill of the House for appropriation, which makes certain remuneration to Tomlinson Fort and others, for printing, and have appointed as committee of Conference on their part, Messrs. Hull, Clark and Cochran.

They have agreed to the other amendments of the House to the amendments of the Senate to said bill, and receded from other amendments to said bill, to which the House had disagreed.

The Senate have concurred in the amendments of the House to the bill of the Senate, to protect those engaged in the turpentine business in Early county.

They have receded from their amendment to the following bill of the House :

A bill to be entitled an act to incorporate the Fort Gaines Rail Road Company, and for other purposes therein mentioned.

The Senate have also passed the report and resolutions of the Committee on the State of the Republic, herein transmitted.

The Senate have also passed the resolutions in reference to the State of Georgia's paying expenses of litigation between the East Tennessee and Georgia Railroad company and the Union Branch Railroad company, in which they ask concurrence.

The Senate have also passed a bill of the House to appropriate a sum of money to build a road over the Lcokout Mountain, with amendments in which they ask concurrence.

A bill to change the line between the counties of Jackson and Gwinnett, &c. Also, the following bill without amendment :

A bill to authorize Justices of the Inferior Court of Heard county to levy an extra tax, to be called a Jury tax, also, to authorize the Justices of the Inferior Court of Whifield county to levy an extra tax.

The Senate has also passed a bill of the House to refund to W. W. and F. D. Ross a certain amount of money. Also, the following bills of the House, with amendments in which they ask concurrence.



A bill to incorporate the Bushy Head Shoals Bridge Company, in Heard county. Also,

A bill to more clearly define the duties of the school commissioner of Richmond county, to enlarge his powers, and for other purposes therein mentioned.

The Senate have also passed a resolution in reference to the Nebraska Bill, in relation to the subject of slavery, &c., in which they ask concurrence.

The Senate have passed a preamble and resolution in reference to the bill of Mr. Douglas, from the Committee on Territories in the United States Senate, organizing a territorial Government for the Territory of Nebraska.

On motion of Mr. Irwin, the House took up the Senate amendment to the appropriation bill, appropriating a sum of money to Messrs Park & Rogers, former State Printers; the Senate having refused to recede from the amendment.

Mr. Irwin moved the appointment of a committee of conference; which was agreed to, and Messrs. Irwin, Phillips and McDougald were appointed that committee.

The House took up the Senate amendment to the bill to be entitled an act to change the lines of the counties of Jackson and Gwinnett, Butts and Spaulding, and Henry and Butts.

Amended by striking out "Jackson and Gwinnett" amendment concurred in.

The House took up the Senate amendments to the bill to be entitled an act to incorporate the Bushy Head Shoals Bridge Company, in Heard County, and for other purposes therein mentioned, and concurred therein.

The House took up the Senate amendment to the bill to be entitled an act to alter an act to appropriate a sum of money to build a road over the Lookout Mountain, in the counties of Walker and Dade, and for other purposes.

Amended by striking out the proviso of the 1st section; the bill, as amended was concurred in.

The House took up the Senate resolution in relation to the Nebraska bill and the subject of slavery, and on motion of Mr. Irwin, unanimously adopted the same.

The House took up the report and resolution in relation to the erection of a monument in Philadelphia in commemoration of the signers of the Declaration of Independence, and agreed to the same.

The following message was received from the Senate by Mr. Moore their Secretary, to wit:

*Mr. Speaker*—The Senate have concurred in the amendment of the House to the bill of the Senate amending the road laws, so far as concerns the counties of Lincoln, Twiggs, &c, and Columbia, so far as the 1st section is concerned.

The Senate have also passed the following bill of the House, to appropriate money for the payment of the debts of the Penitentiary, contracted prior to the 1st day of January 1854, and for other purposes therein mentioned.

Mr. Irwin offered the following resolution, which was unanimously adopted, to wit :

*Resolved*, That we tender to the Hon. John E. Ward, our sincere thanks for the courtesy, impartiality and ability which he has uniformly exhibited, as the presiding officer of this House,

Mr. Phillips offered the following amendment, which was unanimously adopted, to wit :

*Resolved*, That the thanks of this House are hereby tendered to the Hon. E. B. Arnold for his prompt, efficient and impartial discharge of the duties of Speaker, *pro tem*.

Mr. Hawkins offered the following resolution, which was unanimously adopted, to wit :

*Resolved*, That the thanks of this General Assembly be tendered to W. T. Wofford and H. M. Spear, and their several assistants for their able and courteous discharge of their respective duties during the present session.

Mr. Stapleton offered the following resolution, which was unanimously adopted, to wit :

*Resolved*, That the thanks of this House are due to Messrs. Oslin and Day, the Door Keeper and Messenger for the faithful and efficient discharge of their duties, and that it is the deliberate judgment of this House that Jesse Oslin deserves to be perpetual Messenger.

Mr. Griffin offered the following resolution, which was read, taken up and adopted, to wit :

*Resolved*, That this House tender to John O. Gartrell, Chairman of the Enrolling committee, and his assistants their unfeigned thanks for the faithful discharge of their arduous duties.

The following address of the Messenger, Mr. Oslin was taken up, read, adopted and ordered to be placed upon the Journals of the House, to wit :

#### ADDRESS OF JESSE OSLIN, MESSENGER.

*Gentlemen of the House :*

The unprecedented honor you conferred on me, at the opening of the present session, made an impression on my mind that will never be eradicated, while my memory may last; for all along through life misfortunes and afflictions have been my lot; but when I was reduced almost to suffering for the common necessities of life, (four years ago) this House done me the great honor of electing me their Messenger, which bounty brought joy and gladness to myself and family. Two years ago you still honored me higher—your

goodness fed and clothed us. This session, gentlemen, you filled my measure of honor full—pressed down, shaken together and running over. Such an honor has never tell to the lot of any man in this House, before me, for the same office: I having received every vote but nineteen on the first ballot, and some of those nineteen wished to vote for me, but had a relation or close neighbor a candidate for the same office. My honor was as high as I possibly could ask, this side my grave. I have not words, gentlemen, to express my thankfulness for your kindness and gentlemanly conduct towards me, all through this session, and to our honored Speaker, I return my thanks, for his kindness and courtesy towards me, and each member and our worthy Clerk and Assistants has my best wishes for their future prosperity and happiness. In taking an affectionate farewell with you, I pray God's blessing on each of you, and wish you a safe and pleasant journey home, and a warm reception from your families and constituents, and young gentlemen, from their sweethearts. Farewell.

Mr. Irwin, from the committee appointed to confer with the Senate in relation to the amendment to the House bill, appropriating money to Messrs. Park & Rogers, former State Printers, reported that they had conferred with the Senate, and offered an amendment.

On motion to concur in the amendment, the yeas and nays were required to be recorded, at the call of Mr. Alread, and are: yeas 58, nays 13.

Those who voted in the affirmative are Messrs.

Adams,	Irwin	R A Robinson,
Anderson	Jones,	Rowell
Andrews	Latham	Rucker
Boatright	Linn,	Shewmake
W C Cleveland	Manor,	J. C. Smith,
Crawford,	McComb,	W. R. Smith
Crittenden	McCurdy,	W. Smith,
Fields,	McDonald,	Stapleton
Fish,	McDougald,	Stephens,
Griffin,	McMullin	L. S. Stewart,
Haynie	Moughon	J. Stewart,
Harrall	Paris,	Stokes,
Hays	Phillips,	J. Taylor,
Hawkins,	Pickett	D. W Taylor
Hardison	Redding,	Thornton
Hamilton	G. R. Reid,	Trice
Headen,	M Reid	Turner,
Hudson	Richardson.	J H Walton,

W. A. Walton,      H. L. Williams,      Young.  
A. J. Williams

Those who voted in the negative are Messrs.

Alread,	Keith,	Riley,
Arnold,	Mangham	Rumph,
Cameron	Maxwell,	Whitworth,
Benj. Cleveland,	McGregor	
Henderson	McLean	

So the amendment was concurred in.

On motion of Mr. McDougald, the House took up the Senate amendment to the bill to be entitled an act to lease the Penitentiary, and concurred in the same.

The House took up the Senate amendment to the resolution in relation to Bonner's Map of Georgia, and concurred therein.

The House took up the resolution for furnishing the Representative Hall with a new Desk, Chairs and Carpets, and to have the furniture made in the Penitentiary, and adopted the same.

The House took up the Senate amendment to the bill to be entitled an act to appropriate money to pay John H. Howard and Josephus Echols, for services rendered, and expenditures in the disputed boundary between Georgia and Alabama.

Upon the motion to concur, the yeas and nays were required to be recorded, at the call of Mr. Alread, and are: yeas 52, nays 23.

Those who voted in the affirmative are, Messrs.

Adams	Harrall,	Phillips.
Anderson	Hardison	Powell,
Andrews,	Hamilton,	G. R. Reid,
Bell	Irwin,	Richardson,
Boatright	Jones,	R A Robinson
Calloway,	Latham,	Rowell
Cameron	Mangham	Rucker
Champion	Maxwell	Shewmake,
Benj. Cleveland,	McComb,	J C Smith,
W. C. Cleveland,	McCurdy,	W. R. Smith.
Crittenden,	McDonald	Stapleton
Fish	McDougald.	L. S. Stewart,
Gartrell.	McMullin,	J. Stewart,
Haynie,	Moughon	Stokes,
Harris,	Paris	J. Taylor

D. W. Taylor  
Thornton,  
J. H. Walton,

W A Walton  
A J Williams

H. L. Williams,  
Young,

Those who voted in the negative are Messrs

Alread	Henderson,	Redding,
Arnold	Hudson	M. Reid.
Crawford	Keith,	Kiley
Dawson	Linn,	Rumph,
Fields,	Manor,	Stephens,
Hays,	McGregor	Trice,
Hawkins	McLean,	Whitworth,
Headen,	Pickett	

• So the amendment was concurred in.

The following message was received from the Senate by Mr. Moore, their Secretary:

*Mr. Speaker*—The Senate has concurred in the amendment of the House to the amendment of the Senate to the bill of the House to appropriate money for the purposes therein mentioned.

The Senate has also passed the bill of the House to compensate Josephus Echols for his expenditures and expenses and legal professional services, concerning the boundary line between this State and the State of Alabama, with amendments, in which they ask concurrence.

The Senate has also concurred in the amendment of the House to the bill of the Senate to authorize the Georgia Rail Road and Banking Company to receive and incorporate into their present Rail Road, as a part thereof, a new rail road to be built between the points of Macon and Warrenton, by way of Milledgeville, and to amend the charter of the Milledgeville Rail Road Company, and to confer certain powers on the same.

The Senate has passed a report and resolution herewith transmitted in lieu of the bill to lease out the Penitentiary, &c., requiring the Governor to get information in reference to the leasing out of the Penitentiary by States where such institutions have been leased.

The Senate has concurred in the amendment of the House to the amendments of the Senate to the bill of the House to authorize H. H. Porter to peddle, &c.

The Senate has also agreed to the resolution of the House authorizing the Governor to subscribe to a certain number of Bonner's New Maps, with an amendment, in which they ask concurrence.

The House took up the Senate resolution to appoint a

joint committee to wait upon the Governor to know if he has any other messages to the General Assembly, and concurred in the same.

On motion of Mr. Redding, the Speaker appointed Messrs. Redding, Trice and Alread on the part of the House.

The following message was received from the Senate by Mr. Moore, their Secretary, to wit:

*Mr. Speaker*—The Senate has agreed to the resolutions of the House to alter and explain the intent and meaning of the 18th section of the General Appropriation Bill, passed at the present session, &c. Also,

A resolution authorizing the Treasurer to pay to Richard R. Bridges, of Coweta county, \$64.10, appropriated to W. Taylor, of said county.

The Senate has also passed a resolution, appointing a committee to wait upon his Excellency the Governor, and learn if he has any other messages to transmit to the General Assembly, and the Senate has appointed on their part Messrs. Clark, Stephens and Mounger.

Mr. Stapleton, from the Committee on Enrolment, reported the following bills as being duly enrolled, to wit:

A bill to amend an act entitled an act to prescribe the mode of laying out private ways and for other purposes, approved January 17th, 1852, so far as to authorize and require Sheriffs and their deputies to superintend the opening and laying out of private ways.

A bill to prevent the poisoning and destruction of fish in the counties of Dooly and Pulaski.

A bill to refund to Francis Xavier Gartland, a double tax, and to appropriate to John B. Varnover, a certain sum of money therein named.

A bill to amend the Patrol Laws of this State.

A bill to amend an act to incorporate the Zebulon Branch Rail Road, approved January 12th, 1852, and for other purposes therein mentioned.

A bill to change and simplify the practice and pleadings in this State, to provide for the service of writs of *scire facias* in certain cases, and to regulate the admission of testimony in certain cases.

A bill for the relief of James Grenade, tax collector of Wilkinson, and for the relief of Benj. F. Chew, and Wiley B. Griffin, or their assigns.

A Bill to be entitled an act more clearly to define the duties of the School Commissioner of Richmond county, to enlarge his powers, and for other purposes therein mentioned.

A bill to change the line between the counties of Butts and Spaulding, so as to include the residence of Reason Blesset, in the county of Spaulding; also, to change the line between the counties of Henry and Butts.

Mr. Stapleton, from the Committee on Enrolment, reported as duly enrolled, the following bills. to wit :

A bill to be entitled an act to appropriate money for effecting necessary improvements at the State Lunatic Asylum and for other purposes.

A bill to be entitled an act to authorize the Governor to refund excess of taxes paid by certain persons therein named.

A bill to be entitled an act to change the name of Missouri Binum to Missouri Hackett, of Paulding county, and for other purposes.

A bill to be entitled an act to authorize E. G. Doyle to practice as a homœopathist, and for other purposes.

A bill to be entitled an act for the relief of Linney Walker, and for other other purposes therein specified.

A bill to be entitled an act to facilitate the collection of executions by the Mayor and Council of Columbus.

A bill to be entitled an act to alter and change the name of John Andrew Turner to John Andrew Barclay, his reputed father.

A bill to be entitled an act to allow widows to choose their proportionate part of negro property, and for other purposes.

A bill for the relief of John Huie, of the county of Fayette.

A bill to authorize Justices of the Inferior Court to grant orders to hold to bail in cases arising *ex delicto*.

A bill to amend the rent laws of this State.

A bill for the relief of John A Morris, late tax collector of the county of Montgomery.

A bill for the benefit of free persons of color subject to taxation.

A bill to amend an act to incorporate a bank in the town of LaGrange, to be called the Bank of LaGrange. approved January 27th, 1852.

A bill to require his Excellency the Governor to draw his warrant on the Treasury in favor of the Ordinary of Sumter county for a certain sum of money for the purposes therein mentioned.

Also, the following resolutions, to wit :

A resolution recommending Samuel H. Crump for an appointment in the Army of the United States.

A resolution relative to furnishing acts and Journals to members of the Legislature.

A resolution relative to the Governor's conducting financial affairs of the State with the Bank of the Republic in New York.

A resolution conferring a tribute of respect on Major George Taylor, deceased.

A bill to alter and fix the times of holding the Superior Courts of Worth county as designated by the laws creating

said county, and also to change the times of holding the Superior and Inferior Courts of other counties therein mentioned.

A bill to authorize the Justices of the Inferior Court of Heard county to levy an extra tax to be collected—ferry tax; also to authorize the Justices of the Inferior Court of Whitfield county, to levy an extra tax. .

A bill to amend the several acts of force in relation to the incorporation of the town of West Point, in Troup county, and to incorporate the same under the name of the city of West Point, and to provide for the election of a Mayor and Aldermen and such other officers as may be required, and confer upon them special powers; also to incorporate and confer certain powers upon the commissioners of the town of Webbville; also to authorize the Trustees of Thomaston Academy to sell certain property and for other purposes.

A bill to be entitled an act to refund to W. W. and F. D. Ross excess of tax paid by them in and over assessment of their property, &c.

A bill to extend the powers of the Hamilton Female College Company, which has been heretofore incorporated by the Superior Court of Harris county, and also to incorporate Flint Hill Academy, and for other purposes.

On motion of Mr. Crittenden, the House adjourned until 8 o'clock this evening.

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#### EIGHT O'CLOCK, P. M.

The House met pursuant to adjournment,

Mr. Redding, from the Joint committee appointed to wait upon the Governor and ascertain if he had anything further to communicate to the General Assembly, reported that his Excellency the Governor had nothing more to communicate.

Mr. Gartrell, from the Committee on Enrolment, reported the following bills as duly enrolled, to wit :

A bill to be entitled an act to appropriate money to the payment of the debts of the Penitentiary, contracted prior to 1st of January, 1854, and for other purposes.

A bill to be entitled an act to authorize Hezekiah H. Porter and John Roe to peddle without license. Also,

A resolution to alter and explain the 16th section of the General Appropriation bill of the present General Assembly.

A bill to be entitled an act to alter an act entitled an act to appropriate a sum of money to build a road over the Look-out Mountain in the counties of Walker and Dade, approved February 23d, 1850, and for other purposes. Also,

A Joint resolution authorizing the Treasurer to pay certain monies. Also,



A resolution in relation to Bonner's Map of Georgia.

A bill to be entitled an act to incorporate the Columbus and Hamilton Rail Road Company, and to amend the several acts in relation to the Western and Atlantic Rail Road, so far as relates to suits against the superintendent of said Road and the payment of certain claims.

A bill to be entitled an act to incorporate the Bushy Head Shoals Bridge Company, in Heard county, and to amend the seventh section of an act to keep open the channel of Broad River, approved December 28th, 1847, and for other purposes therein specified, and to authorize certain commissioners to remove obstructions in the Ochoopee River, in Emanuel county, and to invest certain money in slaves for certain purposes.

A bill to be entitled an act to compensate Josephus Echols and John H. Howard for their expenditures, expenses, professional and other services, concerning the boundary line in dispute between this State and the State of Alabama, and for other purposes therein named.

A bill to be entitled an act to incorporate the town of Magnolia, in the county of Clinch, and for other purposes therein specified.

A bill to be entitled an act to appropriate money for the purposes therein mentioned.

A bill to be entitled an act to incorporate the Fort Gaines Rail Road Company, and for other purposes therein specified.

Mr. McMullin offered the following resolution, which was adopted, to wit :

*Resolved*, That the thanks of this House be tendered to Dr. Phillips, the Chairman of the Finance Committee, for his invaluable services during the present session of this General Assembly.

Mr. Thornton offered the following resolution, to wit :

*Resolved*, That the Clerk be directed forthwith to inform the Senate that the House of Representatives have completed the business of the session and are now ready to adjourn *sine die*; which, on motion of Mr. Thornton, was taken up and agreed to.

The following message was received from the Senate by Mr. Moore, their secretary.

*Mr. Speaker*—I am directed by the Senate to inform the House of Representatives that they have completed their business of the present session of the General Assembly of the State of Georgia, and are now ready to adjourn *sine die*.

The Speaker having tendered his thanks to the House for the courtesy and kindness manifested for him during the session, adjourned the House, on motion of Mr. Trice, without a day.

WM. T. WOFFORD,

*Clerk House of Representatives.*

ALEXANDER M. SPEER, *Assistant Clerk.*







## I N D E X .

(11)

## A.

## ABATEMENT.

To prevent in suits at law

883 778 840 368

ABSENCE.

Leave of, granted to

47 52 52 81 70 163

87 87 88

94 96 102 106 106

107 109 113 126 140

140 156 158 160 160

164 179 193 194 206

211 216 217 220 232

238 239 259 274 278

282 282 288 291 297

303 307 312 315 319

325 344 349 383 393

397 433 441 449 450

460 462 470 478 523

531 556 564 611 618

633 637 639 644 645

670 687 595 709 716

727 752 756 767 779

792 822 836 856 879

902 928

ACADEMIES.—To incorporate

Southworth, M. & F.

46 83 212

## Phi Delta Masonic

55 85 307 693

Certain other

73 217 424 545 873

Walker's

109 217 339

## Salt Spring

148 384

**Lythonia, Male & Female**

149 384

## Calhoun

170 435

Franklin

181 435

## Spring Hill

203 484

Greensborough, to convey

240 297 322

ACADEMIES—*Continued.*

Bethany	250 455
Penfield, to transfer	261 312 719
Union	424
Warrenton, M. & F	433
Villanow	460 619 647 809
Sheffield	461
Glynn, Treasurer to give bond	536 771 873
Clayton, to appoint Trustees for	619 809
Bibb county, to sell	742 832 933
Bainbridge, to appoint Trustees for	743 769 902
Baptist Female Orphan	744 769 805
McIntosh	908 943 970
Friendship	908 942 969
Monroe county, Male	909 943 952
Carrollton, to sell	910 945 983

## ACTS AND RESOLUTIONS.

To amend, relative to	740 873 974
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## AGRICULTURE.

For encouragement of	245 457 681
To provide for Chemist	267 822 830 831
	863 864

## APPROPRIATION—For

Georgia Military Institute	56 85 172 409
Contingent Fund	55 81 82 161 418 878
Broad River	56 87 346 782
Morgan Kemp	72 151 757
Repair of State House, &c.	89 185 573
Forsyth & Lumpkin Rail Road	92 186 574
Capt. Patterson's Co.	94 187
Certain counties	97 188 490 746 775
	871 888
J. R. Jenkins	124 210 620
Brunswick & Florida Rail Road	130 219
Tattnall County	137 637
Work on Western & Atlantic Rail Road	169
C. A. Dunwoody	169 670
Mechanic's Society of Macon	181 436 672
Cooper's Gap Road	182 436 672
Briar Creek	202
Sup. of Government, for	202 222
Altamaha and Oconee Rivers	285 331 708
School Commissioners, of	286
Savannah Medical College	291 747 789
Geo. Davis	317 434 635 857
Hon. J. Sturges	334 338 339
Lunatic Asylum	401 778
L. H. Davis	400 774 844
H. B. Seward	418 774 843

**APPROPRIATIONS For—***Continued*

Georgia University	418 776 844
Satilla and Alapaha Rivers	485 678 845
W. W. and F. D. Ross	491 822 902
Penitentiary	887 925
J. Echols and J. H. Howard	891 1006 1007 1011
Park and Rogers	1003 1005
Blind Academy	977 979 989 990
Peter Mason	394 661 664 687
Ordinary of Sumter	388 843 852 890
D. W. Taylor	224 486 524 648 785
Big and Little Ochoopee Rivers	164 278 322
	324 365
Canoochee River	137 286 387 637 773 842
So. But. College	164 386 422 592 004 831
Political years, 1854 '55.	285 302 334
	336
Road purposes	114 209 317 388 617
	775 773 841 876
Certain purposes	114 209 317 388 617 773
	775 794 841 850 364 383
	395 418 436 439
	461 489 627 635 647
	670 601 606 745 762
	763 769 770 775 776
	779 833 836 846 849
	859 860 868 869 870
	915 977 978 979

**ASYLUM, BLIND.**

Pupils of, to pass free on	330
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**ASYLUM, DEAF AND DUMB.**

Relative to report on	284
Pupils of, to pass free on	330
To appoint Trustees for	740 768 927
Provide for	364 384 391 650 669 817

**ASYLUM, LUNATIC**

Relative to Commissioners on	53 102
For improvement of	836
To extend provisions of act, to	742 880 933
pass free on	47 84 330

**ATTACHMENT.**

To amend acts of	745 882 933
regulate	129 137 218 219 633
	911 942 956

**ATTORNEY GENERAL.**

To create office of	98 188 705
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**ATTORNEY AT LAW**

To authorize L. S. Langhon to practice	406 775
	843
To authorize J. B. Chastain to practice	182 436
	675
Authorized to arrest proceedings	150 380 645
To regulate fees of	151 386 700 909 940
	963

**B.****BASTARDY.**

Relative to	206 487 678 889
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**BANKS.—To incorporate.**

Mechanic's Saving	40 63 285 390
Bank State of Georgia, Director of	45
City of Augusta	57 88 351 749
Merchant & Planter's	79 184 527 757
Mechanics & Traders	110 207 653 889 931
To establish in Savannah	129 218 822
Planters & Mechanic's	164 386 651 809
South Western Bank of Georgia	202 484 564
	723 748 890
To prevent circulation of	224 485 680 691
compel to redeem liability	264 489 762
Marine & Fire Insurance, to change	
name of	363 562 785
Exchange of Savannah	363 514 562 786
Lagrange Bank	364 772 824 830 831
Darien, to settle claims of	431 561 609 811
Farmers & Merchants'	536 747 867
Mechanics, to amend	742 880 931
Interior of State of Georgia	745 880 902
Milledgeville, to extend	931

**BILLIARD TABLES.**

To allow in private houses	262 488 682
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**BOUNDARIES.**

To prevent controversies concerning.	80 184
	278 528

**C.****CAMP GROUNDS.**

Mt. Cumberland, to incorporate	98 217
Ebenezer	98 217
Choastoo	326
Bluff Spring	910 940
Certain others	645 890
Eatonton, By-Laws for	205 484
Religious societies, to protect	435



**CATTLE.**

To prevent driving	39 46 62 66 83 101
	118 119 183 189 223
	7359 487 679 809

**CALL OF HOUSE.**

Members answered to	100 171 195
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**CEMETERY**

Bainbridge, to incorporate	744 769 901
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**CENTRAL BANK.**

To wind up the affairs of	177 435 722
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**CENSUS.**

Relative to committee on	98 104
To pay certain takers of	38 62 117 140 282
“ apportion representatives in	555 771 909
	938 979

**CHURCHES—To incorporate.**

Methodist Protestant	81 185 571
“ Episcopal	150 165 386
Christian	170 435 664
Haynesville Baptist	102 484
West Point Baptist	266 490
Irwinton Free	191 282 710
Griffin Baptist	743 769 917
Antioch Baptist	744 770 897
Blue Ridge M. E.	908 942 969
Sylvania Baptist	910 940 966
Certain	183 242 385 435 437 487
	571 645 674 694 770 890

**CITIES AND TOWNS—To incorporate**

Macon, to lease	45 64 183 283 297 340
Rome, to amend	38 62 117
Homlesville, to incorporate	57 100 167 693
Dallas	82 185 572 645
Adairsville	129 218 327
Granitesville	129 218 622
Whitesville	166 368 660
Montezuma	181 436 573 695
Washington	206 486 678
Carnesville	242 314 322
Buena Vista	264 489 763
Roswell	283 331 719
Fairburn	293 771 791
Campbellton	315 561 618 809
Clayton	328
Cartersville	345
Magnolia	363 747 824 950
Hamilton	536 762 872
Butler	572 695
Thomasville	648

CITIES AND TOWNS—*Continued.*

Covington, to incorporate	741 771 888
Vienna	744 880 935
Resaca	896
Sylvania	905 946 966
Irwinton	907 943 966
Barnesville	908 941 965
Tazewell	910 942 952
Palmetto	912 945 972
Monroe	913 259 331 340 945
Fort Valley	969
Marietta, to amend act	111 208 614 743
Savannah	110 207
West Point	367 773 840 969
Cassville	648
Greensborough	742 883 896
Oglethorpe	744 881 935
Griffin	744 881 901
Calhoun	745 882 900
Americus	911 940 953
Sandersville, to extend limits	139 287 638
Eatonton	150 385 648
Carrollton	259 330 711 872
Savannah	340 710 756
Marietta	743 770 888 899
Augusta	882
Atlanta	905 973
Spring Place	966
Dalton, relative to	58 100 196
Atlanta	156 905 940 973
Savannah	345
Trenton	872
Milledgeville, Police	111 208 613
“ election Officers of, by	135 145 101
Louisville, to sell	166 368 660
Newnan, to elect Marshals	317 794
Athens	739 768 913
Macon	950
Savannah, to limit	363 746 822

## CIRCUIT, JUDICIAL.

To lay off new	625 776 878
To attach Carroll county to	550
To attach Taylor county to	125 210 621

## CLAIM LAWS.

To amend	74 153 526 612 631 777 877
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## CLERKS AND ASSISTANTS.

To limit number of	205 484 678
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CLERKS AND SHERIFFS.

Of Applying to keep office at	100 189 436
Records of, made valid	283 331 710
Required to issue writs of	906 945 966
To regulate appointment of	344 773 799
Provide for vacancies of	950

CLERKS, SHERIFFS AND CORONERS.

For relief of	225 486 680
To record advertisements	40 63 177 938

COLLEGES—To incorporate.

Ga. Military Institute	55 85 172 329 420
Social Circle F. Seminary	99 217
Masonic Female	114 210 620 809
Marshal	152 164 177
Cave Spring W. Institute	165 386 655
Andrew, Female	170 281 435 664
Greensborough, Female	240 297 322
Fletcher Institute	241 310 713
Western Masonic, M. & F.	325 645
Barnesville Collegiate Seminary	364
College Temple	417 710 719
Upson, Female	741 771 804
Talmage Normal Institute	744 769 804
Atlanta, Medical	743 770 803
Perry Baptist F., to change name	745 881 935
Forsyth F. Institute	250 486
Ga. University, repeal charter	282 331 711
Hamilton F.. extend powers	388 773 841 969
South Western F. to change name	461 745 866
Griffin Col. Sem.	743 803 917
Cherokee Baptist, to incorporate	259 285 325
	362 746 822
Cassville	259 285 325 362
	746 822
McDonough Col. Sem.	39 62 126 127 128 135 142
	142 200 203 211

COMMITTEES.

To conduct Speaker to chair	6
Relative to organization	7
Governor's inauguration	37
acceptance of	35 37
Joint Standing	52 53 65 66 171
Printing	65 401
To conduct Chairman <i>pro tem.</i>	95
On census	98
New Counties	99 103
Deaf and Dumb Asylum	116 319
Internal Improvements	156

COMMITTEES—*Continued*,

On banks	218
“ Penitentiary	244
“ Memorials	694 698 220 229 474 692
“ Governor’s message	797
“ Chaplain for	122
“ Finance allowed to vote	106
Relative to, on	523 535 554 562 566 664
	1001 1005
“ Special, on	53 60 80 90 97
“	99 101 208 241 406
	478
“ Select, on	62 102 115 172 177 249
	277 280 297 330 475

## COMPTROLLER GENERAL.

Relative to report of	213
Hon. E. Chandler elected	65

## CONSTITUTION.

To add section to 1st Art.	239 312 718
“ “ 2 “	908
“ amend 3 “	71 151 391
“ “ 8 sec. 3 “	72 152 395
“ “ 7 “ 7 “	137 219
“ “ 17 “ 1 “	164 386 649
“ “ 11 “ 3 “	201 438 674
“ “ 7 “ 2 “	239 708 943 970
“ “ 2 “ 4 “	743 803 917
“ “ 4&5 “ 3 “	206 486 676
“ 13,12&7 “ 2 “	39 62 140 623
“ “ 3 “ 1 “	34 62 117 174 175
	179 919
“ “ 3 “ 3 “	39 63 142 695 742
	881 932
“ “ 1 “ 3 “	56 66 87 101 145 817
	172 240 311 718
	908 939 980
“ “ relative to ordinaries	263 312 345 351
	362 489 675 719 743
	770 772 799 803 758

## CONTRACTS.

To authorize Governor to accept of	129
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## CORONERS.

Relative to fees of	47 83 261 806 777
“ inquests by	129 217 621

## CORPORATIONS.

To prevent creditors of	129 217
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## COTTON.

To regulate weighing of	51 84 236 669
To protect sellers of	169 394 660 888

## COUNTY OFFICERS.

To tax bill of cost in	155 386 652
To turn over books to	743 769 900
To regulate fees of	806 828 903
To advertise in	263 363 489 684 690 746 824

## COUNTY SITE.

Of Lee, to provide for new	89 164
“ Wayne, to select	919 940 967
To make permanent at	57 100 167 327 329
	331 628 907 943 970

## COUNTY TREASURER.

To define duties of	259 310 714
“ elect by	363 739 747 770 806 824

## COUNTY LINE—To change between

Talbot and Taylor	45 64 293
Lumpkin and Hall	46 83 213 338 774 841
Walker and Gordon	58 100 350 583 693 561
	622 776 803
Ware and Wayne	80 139 155 288 516 638
	812
Jasper and Newton	98 188
Gordon and Floyd	98 188 149 286 303 725
Wilkes and Lincoln	98 188
Polk and Paulding	98 188
Murray and Whitfield	113 631 759
Crawford and Taylor	113 209 286 755
Union and Lumpkin	125 169 242 621 913
	942 968
Macon and Sumter	136 219 623
Cass and Gordon	149 286 303 725
Newton and Walton	150 385 651 662 879
Gordon and Murray	152 286 328
Clarke and Jackson	155 386 657
Habersham and Lumpkin	189 211 232 353
	270 438 673
Union and Gilmer	111 208 615
Hall and Gwinnett	232 253 270
Jackson and Madison	239 312 719
Marion and Talbot	250 487 682
Taylor and Talbot	303 693
Marion and Taylor	305
Marion and Kinchefoonee	305
Lee and Sumter	305
Pickens and Cherokee	317 770 793
Houston and Dooly	317 804 927
Harris and Troup	364 747 824
Pike and Spaulding	461 746
Walker and Catoosa	561 776 803
Macon and Taylor	561 776

COUNTY LINE—To change between—*Continued*

Thomas and Worth	638
Jackson and Gwinnett	611 776 876 1003
Certain other	826 805 947
Wilkes and Taliaferro	740 769 805
Cass, Polk and Paulding	740 914 928
Floyd and Polk and Campbell and Polk	741 768 804
Sumter	741 881 934
Tattnall and Liberty	741 883 928
Monroe and Crawford	744 770 804
Jones and Bibb	745 882 930
Franklin and Hart	745 882 931
Henry and Butts	876 1003
Butts and Spaulding	876 1003
Greene and Taliaferro	905 940 962
Warren and Taliaferro	908 947 985
Floyd and Chattooga	909 946 962
Putnam and Jasper	909 946
Campbell and Fayette	912 946 965
Baker, to define	911 942 969

## COURTS.

Relation to Superior and Inferior	61
to examination of parties	170
to cost and attorneys	112 208 515
To simplify practice in	182 437 879
provide for adjournment of	913 945 962
allow parties to use	170 708 818
legalize adjournment of	145 207 315
prevent continuances in	59 101 391 749
change time of holding	55 63 64 65 69
	85 101 137 203 220
	238 240 303 307 312
	315 319 367 435 485
	492 549 551 552 553
	561 565 621 628 670
	677 718 753 812 859
	885 891 981

## COURTS, SUPREME.

To make decisions uniform	65 101 392
alter sessions of	392 471 549 551 552 553
	565

## CREDENTIALS.

Of members elect	3 4 5 6 52 342
------------------	----------------

## D.

## DEBT.

One partner to confess	150
------------------------	-----

**DEBT**—*Continued.*

To recover, not due	129 218
authorize substitution of	387 841 948
prevent delay in collecting	905 944 96
	991
abolish imprisonment for	39 64 177 389
	397 401 629

**DEEDS.**

To make valid to	905
amend law relative	911 939 980

**DEER.**

To prevent killing in	240 264 310 489 714
	905 938 959

**DISCOVERIES AT LAW.**

Authorize parties to compel	911
-----------------------------	-----

**DISTRICT LINES.**

To change	905 946 966
survey	155 387 657

**DISTRICTS, CONGRESSIONAL.**—To add

Carroll to 4th	910 946 981 99 <sub>2</sub>
Wilkinson to 1st	910 946 981 99 <sub>2</sub>
Twiggs to 3d	910 946 981 99 <sub>2</sub>

**DIVORCE.**

G. T. Walker and Ann Walker	55 87 345
M. Kirby and H. Kirby	125 210 620
T. J. and J. Christopherson	148 384 641
J. Cook and Sarah Cook	318 773 798
R. and A Lever	326 773 799
Betty A. and L. Dowell	362 746 802
E. B. and S. J. Foot	367 773 824
Relative to libels for	908 941 967

**DRUGS AND MEDICINES.**

Authorize J. Herty to sell	907 938 973
----------------------------	-------------

**E.**

**EDUCATION OF THE POOR.**—To

Compensate persons for	263 488
Establish system for the	182 239
Repeal Act for the	150 303
Provide for the	57 88 324 354 753
	904 913 915
	943 944 958 971

**ELECTIONS.**

Hon. J. E. Ward, Speaker	6
--------------------------	---

**ELECTIONS—Continued.**

W. T. Wofford, Clerk	6
Jesse Oslin, Messenger	6
A. R. Powell, Door Keeper	7
Hon. Herschel V. Johnson, Governor	54
Of State House Officers, &c.	42 44 54 65
J. E. Blakely, Solicitor General	44
G. T. Howard, Judge Court O. and T.	44
W. T. Brantly, Director State Bank, Ga.	45
Hon. E. Starnes, Judge Supreme Court	66
Hon. H. L. Benning, " " "	66
Hon. E. Chandler, Comp. General	66
Hon. P. M. Compton, Surveyor, "	66
Hon. J. B. Trippe, Treasurer "	66
Hon. E. P. Watkins, Secretary of State	66
To prevent fraud in	71 152 394
To furnish forms for	241 310 714
To compensate managers of	345 773 799
To change time of holding for	388 778 842
To regulate several	906 946 972
In Columbus to make valid	397 406 419
In Dalton " "	419
In cities " "	419

**ELECTION PRECINCTS.**

To establish	72 73 171 207 217 225 228 231
	259 323 326 388 395
	514 536 622 673 774
	778 844 906 939 959
To abolish	139 171 207 225 228 231 259
	286 323 573 812 841 868
To remove	47 69 72 83 101 129 171 201
	207 217 218 222 226
	228 231 259 297
	323 368 388 414 438
	622 673 812 774 956
	907 943 946 957 966

**EJECTION.**

To amend consent rule in	182 437 820
--------------------------	-------------

**ESTATES.**

For protection of	740 769
Relative to appraisers of	263 489
to limitation over of	906 942 952
to Distribution of	205 485 677 944
	963 907

**EXECUTOR, ADMINISTRATOR AND GUARDIAN.**

To make title to land, &c.,	56 87 181 349
	350 436



**EXECUTOR, ADMINISTRATOR, &c—Continued.**

resign trust,	59 101 392 757
make, by virtue of	240 311 714
invest funds in	739 768 914
give bonds	909 940 963
define liability of	941 939 971
authorize to sell	768 914

**EXECUTIONS.**

Entries upon, to be copied on,	165 387 657
To facilitate collection of by	611 779 877

**F.****FACTORIES.**

To regulate labor in	137 219 624
----------------------	-------------

**FIRE COMPANIES**

To establish in Macon	54 84 693
“ Atlanta	240 310 331
“ Marietta	324 778 799
“ Savannah	363 744 746 822 880
	935

**FIRING WOODS.**

To prevent	433 622 775 812 859 906
	129 218 941 971

**FISH.**

To prevent poisoning.	79 155 363 516 746
	824 981

**FORCIBLE ENTRY AND DETAINER.**

Non residents to give bond in	908 942 985
-------------------------------	-------------

**FRACTIONS.**

To extend time to purchasers of	910 943 971
---------------------------------	-------------

**FRAUD.**

To prevent	111 182 208 438 615 627 706
	745 881 889 934

**G.****GARNISHMENT.**

Parties plaintiff, to issue summons of	137 219
	633

**GEORGIA BAPTIST CONVENTION.**

Transferring from	719
-------------------	-----

**GRANTS.**

To define mode of taking out	811
------------------------------	-----

GRANTS—*Continued*

" authorize issue of to	94 121 163 169 210
	318 321 388 405 620
	664 774 777 798 841
	911 942 958 969

## H.

## HEAD RIGHTS.

To secure to	827 880 896
--------------	-------------

## HEIRS AT LAW.

To make J Cain	114 209 617
" E. Y. H. Dale	743 769 914
To make certain persons	904
" C. F. W. Blake	910 945 962

## HONEST DEBTORS.

To extend prison bounds for	905 945 961
-----------------------------	-------------

## I.

## INCORPORATIONS.

Brunswick improvement Co.	38 62 117 694
	757
Dade county iron and coal manufactu- ring Co.	69 101 363
Baldwin Blues Building and Loan As- sociation.	79 155 517
Georgia Mining Co.	98 188 618 785
Gum Log Mining Co.	99 189 619
Savannah Hotel Co.	110 207 698
Milledgeville Hotel Co.	148 383 638
Clinch Rifles Loan Association.	151 385 648
Tocoah Mining Co.	155 386 655 662 926
Church Wardens and Vestry of	169 405 664
Franklin Bridge Company	181 435 671
Macon Manufacturing Co.	202 484 675
Columbia Mining Co.	263 488 767
Oglethorpe Mutual Loan Association	345 773 799
Savannah Planing Machine Co.	387 774
	841 950
Spring Place Mining Co.	461 655
Macon Building and Loan Associa- tion,	517
Bushy Head Shoals Bridge Co.	537 779
	875 1003
Columbus Gas Light Co.	561 779 875
Blue Ridge Mining Co.	658

INCORPORATIONS—*Continued.*

Dahlonga Test & Mining Co.	739 768 804
Georgia Gold Co.	740 708 902
Southern Central Agricultural Society,	740 772 915
Florence Bridge Co.	740 769 806
Ladies' Hebrew Benevolent Society	744 770 803 875
Joint Stock Companies for	744 880 935
Bellville Factory	744 880 931
Orphans' Home	744 881 931
Savannah Mutual Insurance Comp'y	906 939 939 968
Rome Building and Loan Association	907 944 971
Cherokee Copper Company	908 945 985
Southern Mutual Insurance Company	909 941 968
Athens Building and Loan Association	913 945 983
Parks Mining Company	767
Walker Mining Company	767
Porter Mining Company	768

## INTEREST.

To alter laws of	202 484 674
------------------	-------------

## INTERNAL IMPROVEMENT.

For encouragement of	70 102 368
To establish system of	112 286 616

## ITINERANT TRADERS.—To authorize

F. J. Peters	to vend, as	71 151
J. N. McMillan,	"	71 151
R. Martin	"	96 187 600
M. Rigil	"	97 188 612
J. W. Grantham	"	111 207 613
D. Phillips	"	115 210 620
T. B. Claiborne	"	125 210 621
H. H. Porter	"	136 218 638
John Rowe	"	164 386 657
J. L. Hobson	"	365 387 659
F. Ponsell	"	181 435 671
J. W. Head	"	317 777 795
J. W. Pate	"	365 747 825
Certain persons	"	370 373 659 600
S. L. Held	"	461 746 866
J. Tilly	"	905 943 971

**ITINERANT TRADERS—to authorize—Continued.**

J. Quick	To vend as	370
W Timmons	"	370
J. B. Cashion	"	370
To amend law of		149 385 388 842 774

**INSOLVENT LAWS.**

To amend	225 487 681 690 880
----------	---------------------

**J.****JAIL AND JAILORS.**

To build, in Burke	222
--------------------	-----

**JUDGMENTS.**

To authorize one party to confess	385 648
revive dormant	434 775 859 913

**JUDGES SUPERIOR COURT.**

To reduce "charge" to writing	203 485 701
	962
Authorize to commute punishment	264 490 764
bail or discharge	669 779 879
make orders	741 880 938
To increase salary of	461 778 860
Relative to election of	940 983

**JUDICIARY.**

To change and amend act of	56 87 125 182
	210 224 436 439 485
	620 681 694 701 741
	742 769 778 860 880
	902 904 912 933
	941 942 957 974

**JOINT TENANTS.**

To abolish right of survivorship in	239 312 717
	747

**JURORS.**

To make competent	73 152 415
Relative to trial by	137 219 631 632
drawing	181 435 671 931
To regulate collection, fees of	262 481 681
compensate	46 64 66 73 82 82 83 101 113
	136 149 153 185 194
	208 212 213 218 224
	239 240 202 311 312
	319 339 359 362 384
	439 487 515 573 617
	623 624 641 681 682

JURORS—*Continued.*

693 712 740 741 745  
768 873 882  
913 930

## JUSTICE COURTS.

To be held at 58 100 356  
“ grant land warrants 84 216  
Acts, to make valid, 942 951  
To amend acts, relative to 911 943 955  
Parties Plaintiffs to pay cost 148 385 639 889  
To allow parties to prove accounts by 264.  
490 764 779 878  
Discoveries at common law in 58 88 354 945.  
461 488 682 692  
984 991  
“ extend jurisdiction of 71 112 151 186  
208 362 380 381 93  
616 745 802 822 927

## JUSTICES OF INFERIOR COURT.

To grant orders to hold to bail 60 101 140 380  
“ To dispose of lots in 148 384 638  
Relative to election of 909  
Of Pickens, to lay off into School Dis-  
tricts, 679  
“ Lumpkin, levy extra tax for 250 682  
“ Gilmer, to lay off into School Dis-  
tricts, 223 486 679  
Authorized to lay out private way● 807 828 897  
“ issue bonds 904 942 952  
“ take stock in 907 944 952  
“ allow insolvent list to 906 940  
981  
“ grant license to 203 222 675  
678 688  
“ levy extra tax for 170 406 664  
779 812 875 905  
910 912 941 972  
983

## L.

## LAND.

To secure from overflow 245 487 681  
“ sell unsurveyed in Appling 362 434 630  
“ prescribe mode of partitioning 393 778 844  
“ protect owners of 740 769 805  
“ regulate mode of partitioning 745 852 882  
932

**LAND—Continued.**

To refund to, for fractions granted	318 772
	910 943 971
“ provide for sale of ungranted	202 261 312
	434 675 718

**LAND COURTS.**

To amend laws of	47
“ authorize, to hold	240 311 383 712 713
	778 840

**LAWS AND JOURNALS.**

To furnish members with	136
Commissioners to digest and prepare	
new code	205 484
To amend processioning	907 938 961
“ repeal, relative to	772 856 897
	940 974

**LEGITIMATIZE.**

Matilda Officer, to	368 660 169
---------------------	-------------

**LETTERS TESTAMENTARY.**

Allow, to obtain	113 164 177 285
------------------	-----------------

**LEVY AND SALE.**

To exempt from	93 126 186 211 264 490
	631 597 771

**LICENSE.**

Relative to retailers of	765
Authorize Justices to grant	485 486
To repeal laws of	292 771 782

**LIEN.**

To define	171 434
“ amend law of	908 946 912
“ grant to	81 185 201 438 570 576
	674 692 601

**LIMITATION, STATUTE OF.**

Acknowledgement of debt after, to be	
reduced to writing,	743 772

**LODGES, CHAPTERS & DIVISIONS.**

Trenton, to incorporate	40 63 177 694
Tallapoosa, to “	647
Sanders division, to incorporate	660
Arnold “ “	262 488
Etowah Council “	905 980
Grand Lodge, Knights of Jericho,	
to incorporate,	59 100 395
Cassville, Knights of Jericho, to	
incorporate	97 188 600
Chandler, to incorporate	169 393 660
Summerville, to “	182 435 671

**LODGES—To incorporate—Continued.**

Villa Rica & T.	“	267 490 647
Jasper,	“	345 772 799
Certain	“	645 890 939
Laurenceville	“	908 946 985
Rome	“	905 939 980

**LOTTERIES AND GAMBLING.**

To amend Act, relative to	45
prevent	389 774 843
Authorize, to raise by	47 64 84 238 243
	254 367 406 774 775
	826 844

**M.**

**MAGISTRATES AND CONSTABLES.**

To regulate fees of	909 941 956
Amend act, relative to	224 487 681

**MAGNETIC TELEGRAPH COMPANIES.**

To authorize construction of	201 438 674
Submarine, to incorporate	745 881 931
Madison and Gordon, to incorporate	911 941
	985

**MILITIA.**

Rome Volunteers, to incorporate	80 155 527
To amend laws of	92 186 575
Irish Jasper Greens, to incorporate	110 207 613
	809
Volunteer Battalion, to organize	110 207 613
Mountain Rangers, to incorporate	136 218 623
To change system of	170 435 665 689 774
grant privileges to	171 435 665 711
Liberty Troup, to grant to	240 297 711
Irish Volunteers	911 942 968
Talbot Guards	911 942
Atlanta City Guards, to grant	911 942
Marietta Guards, to incorporate	745 883 928
Atlanta Irish Volunteers, to	
incorporate	911 946 985
Thomasville Guards, to incor-	
porate	266 486 786
Relative to organization of	387 840

**MEMORIALS.**

Relative to Atlanta Bank	70
From State Teachers' Association	203
L. Zachry	244

MEMORIALS—*Continued.*

City Council of Augusta	472 473
C. A L Lamar	245
E. D. Chisolm	692
J Sturges	97 102
J. J. Scarborough	196 220 229 972

## MESSAGES.

From Governor	88 35 36 44 58 90 91 93 106 131 156 182 186 241 256 274 277 333 341 402 405 417 463 492 510 569 577 703 752 761 795 817 819 833 846 885 892 901 952 974 994 1000
From Senate	78 35 37 38 39 44 47 49 54 56 68 69 79 83 93 96 103 105 122 128 135 145 149 156 157 163 175 176 180 190 199 208 221 228 245 252 261 276 281 285 295 307 311 314 321 324 332 336 340 340 341 351 352 363 377 384 389 409 423 434 437 440 445 446 455 462 475 476 478 492 503 507 519 525 532 548 551 558 562 568 578 607 613 625 632 640 650 662 668 685 694 684 605 715 724 734 749 758 763 780 785 787 791 807 813 829 831 850 854 859 883 901 921 928 950 956 969 974 979 984 986 996 997 1000 1002 1003 1007 1008

## MILL DAMS.

To construct across	537 612 779 777 911 943 980
---------------------	--------------------------------

## MONUMENTS.

To erect to	59 101 357
-------------	------------



N.

NAMES TO CHANGE.

Of J. J. Smith	216
Nancy Pitts	225
W. B. F. Farmer	236
Martha Goff	236
L. A. Harvy	236
S. Lochlin	293
J. J. Sheffield	365
Ladies Benevolent Society	561
M. J. Bender	202 434
D. Elliot	262 487
W. H. Austin	264 489
A. Alfred and M. Lingerfelt	51 84 236
A. Ransom	93 217 598
R. <sup>1</sup> T. Niles, J. M. B.	
Niles and O. C. Wood	113 209 617
R. C. Nail	100 217 613
R. G., J. D. and J.	
W. Garland	136 218 623
Linney Pool	151 385 648
W. W. Rogers	389 774 843
J. A. Turner	645 777 878
M. F. Tisdale	741 768 914
M. S. Clack	908 947 965
J. D. Bartlett	114 209 618 785
N. Hightower	486 679
M. Bynum	383 778 840 969
Certain persons	47 51 54 80 84
	84 85 201 216 217
	238 307 434 527 535
	617 637 693 598 599
	778 840 941 965
	969

NEW COUNTIES.—From

Union and Gilmer	111
Irwin and Telfair	566
Campbell, Carroll, Paulding and Cobb	536
Monroe and Bibb	326 771
Cherokee and Gilmer	40 62 117
Walker and Whitfield	79 103 135
Monroe, Upson and Crawford	170 777 824
Talbot, Macon and Marion	224 487 681
Cass, Cherokee, Cobb and Paulding	315 564 790
DeKalb	241 727 307
Camden	905 939 966
Stewart	58 88 158 161

**NEW COUNTIES—Continued.**

Baker	222 232 248 250
Early and Randolph	101 110 418 888
Jackson and Gwinnett	112 208 515 520
Muscogee, Marion Stewart	155 386 546 785
Clinch, Ware, Telfair and Irwin	363 434 564 727
Campbell, Carroll, Paulding and Polk	407 774 778 844
Baker and Early	564 710 756 757
Screven and Burke	98 189 613 625 663
Dooly and Irwin	145 240 277 305 307
Franklin and Elbert	136 153 163 741
	882 931
Gilmer and Union	99 111 168 270 271
	272 273 274
Relative to Dougherty	741 959 882

**NEW TRIALS.**

To regulate granting of	743 769 917
-------------------------	-------------

**O.****OATHS.—To**

Authorize to administer	905 74 153 526 962
Provide for new	182 436 704
Alter and amend	73 153 414 421

**OKEFENOKEE SWAMP.**

To sell unsurveyed land in	907 944 959
----------------------------	-------------

**ORDINARIES.—To**

Change time of holding Courts of	202 484
Regulate sessions of	740 771 917
Authorise adjournment of Court	282 330 710
Ex-officio, J. P., &c.	55 87 345
Grant letters of adm'n	906 945 961
Keep office at residence	51 84 216 220 277
Relative to	56 87 89 185 322 345
Relative to fees of	171 263 435 488 666 708
Amend acts relative to	803 909 918 941
	955
Pay certain teachers of	245 246 286 355 275
	436 634 672 773 799
	912

**OYER AND TERMINER.**

To change sessions of	240
G. T. Howard, elected Judge of	44
To amend act of	129 158 171 172 217 622

## P.

## PARDONS—Of

Elijah Bird	47 83 94 103 106 106 108 189
J. L. D. Register	267 288 259 401 402
G. W. Ray, Jr,	288 425 562 567
N. J. Carr	317 725 784 816
J. D. Malone	363 437 524 554 593

## PARTIES AT LAW.—To

Compel discoveries	262
Examine in	434
To use adversary as witness	434
Amend relative to	612 612 777 878
For taking answers of	742 771 917

## PATROL.

To amend law of	393 406 727 980
-----------------	-----------------

## PENAL CODE—To

Amend 10th sec. 10th Div. of	995
“ 27 “ 10 “	906 939 959
“ 8 “ 4 “	906 940 773
“ 30 “ 10 “	38 62 117 146
Repeal 2 “ 9 “	79 155 527
“ 48 “ 14 “	82 185 700
	889
Repeal 13 Section 13 “	908 944 972
Change 2 “ 10 “	182 437 672
Define 12&13 “ 9 “	743 769 890
	902
Add “ 14 “	240 310 714
“ “ 10 “	259 330 711
“ “ 13 “	906 938 972

## PENITENTIARY.

Relative to account of	211
“ removal of	81 97 570
To lease and let	244 410 670 732 733 1004

## PETITIONS—From

J. M. Carlton and others	70
Mary Horton	70
W. W. & F. D. Ross	245
W. S. Rogers, State Printer	669
Relative to new counties	579
Certain persons	93 98 110
East Tennessee and Ga. R. R.	578 578

## PHYSICIANS—To authorize to practice

R. Rogers	257
F. N. Hardeman	257
Jesse Oslin, M. D.	530

PHYSICIANS—*Continued.*

T. F. Bruster	889
C. H. Audas	889
J. R. Osborn	225 488
R. D. McElveen	907 942
J. M. Sessions	907 942
E. Ennis	907 942
N. Auger	907 942
W. Freeman	45 64 177 179
J. A. Lyon	54 85 257
I. Mullenax	70 102 371
J. C. Mulkey	85 184 529
T. W. Leake	94 187 614
All persons	181 436 672
Testimony by	259 330 710
Restrict charges of	536 776 874
J. J. Garrison	907 941 958
W. D. Quinn	151 386 650 786
J. H. Lane	151 386 650 786
Rochenburg	264 489 763 889
O. Proffitt	407 775 844 889
E. G. Doyle	425 775 859 907 942
Certain persons	763 907 942 954 981
Relative to Medical Board	910 946 965

## PILOTAGE.

To regulate at	743 881 932
Relative to, of Sav'h river	827 881 899 916

## PLANK ROADS AND TURNPIKES.

Habersham and Union, to incorporate	165 387 658
Wilkes	267 489 786 788
Ogeechee	97 148 188 384
	615 639 890
Griffin & West Pt. proceeding against	135

## POOR SCHOOLS.

To alter and amend, Law	149 384 641
-------------------------	-------------

## PRINTING.

Relative to, Communication on	64
Gov's. Message	90
Testimony of	288
Copies of bills of	254 359 461
Reports of	104 180 213 215
	239 344 401 431
	470 507 784

## R.

## RAIL ROADS—To incorporate.

Macon & Warrenton	815
Milledgeville, to amend charter of	991
Savh. & Branchville	935
" Griffin & N. Alabama	580
" & Brunswick	740
Elijay, to issue bonds	70 151
Clarksville, to construct	300
North East, Gov. to subscribe to	85 329 918
Forsyth & Lumpkin	91 574 785
Relative to Sign Boards	114 209 618
Dalton Copper Mines	139 287,638
Monticello & Griffin	180 435 670
Brunswick & Florida	129 219
Milledgeville Plank & R. Road	282 331 710
Muscogee	407 775 806
" relative to	388 778 881
Compel to pay tax in	439 776 865
Savh., Griffin & N. Alabama	595 596 605 580
Carrollton	500 768 913
Chattahoochee Ridge	740 769 930
Savannah, Rabun G. & D. Co.	742 883 938
Augusta & Waynesboro	742 803 916
Georgia Western	744 771 928
Dalton to Gadsden	827 880 916
West Point Plank &	911 943 956
Savannah & Albany to change name	912 944
	982
From W & A. to Gilmer Co.	38 88 346 727
Eatonton & Monticello	46 83 140 235
Newnan & Griffin	92 313 580 595
Washington & Petersburg	267 439 786 926
Madison and Eatonton	270 325 537 538
From Blue Ridge to Duck Town	367 881
	903 923
Charleston & Savannah	743 881 927
Georgia & Alabama	912 942 968
Zebulon Branch	97 339 610 813 969
Coosa & Chattooga River	150 385 641 661,785
Eatonton & Covington	150 241 312 385 564
Columbus, Hamilton & LaGrange	250 488 724
	889 969
Montgomery	345 773 800 926
Central M. & W. to consolidate	345 772 813
	814 815
N. East & S. West Alabama	418 433 524 533 548

RAIL ROADS—*Continued.*

Fort Gaines	611 779 876 986
Ga., & Banking Co. to consolidate	909 941 944
	952 987 991
From Athens to Rabun Gap	55 85 308 309
	313 470
Wills Valley	69 140 144 298 544
	558 559 561
To define liability of	56 73 88 150 152
	170 413 889

## RELIGIOUS SOCIETIES.

For protection of	170 666
-------------------	---------

## RELIEF.

Of M. A. Lasseter	165
W. Toney	253
J. A. Waller	256
P. S. Ogelvie	286
S. W. Mitchell	413
W. R. Murphy	475
A. M. Pratt	475
J. Huie	80 155 517 873
W. Crew	93 187 902
J. Ursey	94 187 902
J. M. Wilhite	223 437
N. Mangham	292 747
D. Ocallahan	292 770
Citizens of Paulding	383 840
J. Martin	46 64 183
S. Pascoe	46 83 213
J. B. Goddard	54 85 257
G. M. Garrison	57 88 354
A. C. Harbin & others	57 88 355
W. P. Allen	71 151 340
E. Kooneman	71 151 340
B. D. Hill	71 151 392
J. Neely	79 154 516
F. M. Wilson	79 154 516
E. J. Stafford	93 186 576
L. W. Cooper	97 188 600
R. Myrick	98 189 612
Dr. A. B. Brantly	114 209 613
John Cook	114 209 619
N. Smith	125 210 621 631
E. Clark	126 211 631
F. Revier	137 219 633
J. Morris	145 240 311
B. H. Cameron	151 242 286
M. Grace and T. Thompson	170 241 253

RELIEF—*Continued.*

Securities of R. Basset	201 438 674
C. W. Mabry	202 484 676
S. M. Street	203 470 677
M. A. Smithwick	222 486 678
N. S. Henderson	232 248 291
Mary Roberts	239 311 717
A. G. Levy	239 311 717
W. A. Clement	241 310 713
Jane Levy	250 487 682
M. A. Linton	255 386 657 662
T. E. C. Butts	292 746 789
E. Grace	292 770 791
Ruckersville Bank	241 293 303
J. F. Green	312 777 792 926
N. Famby & Z. Slaton	317 770 797
R. B. Cohen & R. B. Solomon	324 773 799
R. B. Bostwick	393 773 902
M. Kinsman	418 778 858
W. J. Ridgill	461 746 866
W. Cline	561 776 875
G. M. Tutt & G. W. Newman	739 770 806
S. McBee	740 772 896
M. Morris	742 880 935
J. Piles	905 945 959
J. W. Cochrane	906 946 965
J. Smith and others	906 938 961
J. Montgomery and	
W. A. Lewis	907 940 956
J. M. Patterson	910 945 961
E. P. Howell	912 942 952
M. A. & E. Greason	51 85 237 242
H. Levy	54 85 255 694
H. M. Buckhalter	55 85 156 252
Levi Burty	80 155 517 694
W. Crowell	91 186 223 573
W. C. Russeau	91 186 223 573
J. Lasseter	111 207 615 785
T. D. Lewis	223 486 655 679
W. Eden and others	362 745 822 831
J. Grenade	393 778 863 984
J. A. Morris	536 714 747 868
Citizens of	742 773 881 932
P. L. J. May	418 778 856
	883 890
J. Monroe	54 85 296 296 305 314
	324 415

**RELIEF—Continued.**

W Taylor	69 102 239 311 319 368 470
	475
To certain persons	54 85 648 657 682 695
	809 939 950 954
	961

**REMOVAL**

Of Penitentiary	81 185 188
“ Court House of Macon county	563 710 719
“Seat of Government	79 100 115 116 149
	157 735 736 737 738
	750 926 754 762

**RENT.**

To amend laws	206 486 724 778
“ Define liability of	242 487 681 812

**REPRESENTATIVE HALL.**

Tendered to	107 150 160 537 546 578
-------------	-------------------------

**REPORTS OF COMMITTEES—On**

Executive Mansion	91
Military	810
Augusta bridge case	928
Journals	974
Census	265
Relief of	257
Military Institute	316
Re-classify lands,	344
Lunatic Asylum	398
Adjournment of	611
Select on	702
Conference	1005
Printed testimony in	92 401
Removal of	115 132
Proposition of M. A. Cooper	130 214
Public printing	153 265
W & A. Railroad	104 111 299
Special on	281 628 810
Deaf and Dumb Asylum	147 163 283 284
Petitions	148 223 312 314
Penitentiary	320 727 730 732
Memorials	504 694 694 783 784
Banks	163 276 425 561 697 698
Internal improvements	139 170 223 298
	465 522 533
New Counties	102 112 135 401 407 453 535
New counties	628 593 790
Judiciary	139 378 379 380 579 624 625 698
	699 700 701 702 704 705
Finance	139 144 269 274 318 635 647



REPORTS OF COMMITTEES—*Continued.*

	647 698 727 873 948
Enrolment	89 105 170 180 182 213 232
	263 270 280 291 303
	311 319 326 332 340
	349 353 397 420 446
	460 480 498 511 554
	581 654 675 595 679
	706 721 747 791 793
	825 834 861 764 915
	935 963 997 998
	1008 1009 1010

## RIVERS AND CREEKS.

Ogeechee, to appoint Commissioner for	365
To keep open certain	93 186
“ Broad river, relative to	875 757
“ remove obstructions from	906 946
“ improve navigation of	69 101 965
“ Ocmulgee, &c., to appoint commissioner for	92 186 576
“ Savannah, commissioners of	93 187 600
	781
“ prevent obstructions	46 64 183 202 362
	490 807

## ROAD COMMISSIONERS.

Authorized to relieve certain persons	905 912
	912 943 971

## ROADS, BRIDGES AND FERRIES.—To

Protect boats from	293 777 792
Regulate rates of	904 941 968
Relative to working	908 944 959
Repeal laws of	165 241 297 386 655 711
Repair	181 435 669 904 923 944
Exempt from	461 746 867 945 971
Amend laws	910 912 940 944 945 971
	983 989
Establish across	292 317 740 741 746 771
	777 789 790 798 806
	803 875 897 914
	911 912 945 947
	950 962 963 965

## S.

## SCHOOL COMMISSIONERS

Of to pay certain teachers of	38 245 246 259
	276 329 711 910
	940 985

**SENATORS U. S.**

Relative to election of	223 413 424 431 476
Hon. Alfred Iverson, elected	478

**SHERIFFS AND DEPUTY.**

Relative to suits on bonds of	346
To appoint deputy	739 773 914
allow certain fees to	739 773 914
make levies or return of	51 85 216 700
Relief of	345 772 792 897
reduce bond of	48 58 71 84 100 136 151
	218 223 262 356 390
	488 683 622 742 883
	897 912 939 968

**SLAVES AND FREE PERSONS OF COLOR.**

To repeal law relative to	149 777
For benefit of	612 877
To provide for trial in	72 152 392
Prohibit testimony of	98 188 821
Relative to government of	183 219 634
To provide for removal of	170 435 664
Relative to colored seamen	291 384 387
Repeal importation laws	359 384 641
Guardians of, to register	536 776 873
Persons taking up, to deliver to	741 803 918
To regulate sale and division of	909 943 957
Owners and guardians of, to give bail	45 64
	133 391
To punish whites for	72 152 413 890
prevent trading with	223 486 679 890
Relative to importation of	262 488 777 792
For relief of	264 490 763 777
To prohibit acting as agent	264 489 779 781 765
Authorize to bind out	206 485 678 741 771 913

**SOLICITORS GENERAL.**

Relative to election of	521
J. E. Blakely elected	44
J. S. Winn “	521
For government of	742 769 903
To regulate fees of	151 386 909 963

**SPEAKER AND SPEAKER PRO. TEM.**

John E. Ward chosen	6
Mr. Reynolds “	95
Arnold “	167

**SPECIFIC PERFORMANCE.**

To authorize equitable remedy of	206 485 724
----------------------------------	-------------

## SPIRITUOUS LIQUORS.

To prohibit furnishing Indians with 882

## STATE PRINTER.

Relative to 265  
 Boughton Nisbet & Barnes, elected 888  
 Relative to election of 69 164 239 281 414 853  
 422 424 812 828  
 854 888

## STATE TREASURER.

Authorize to pay tax to 114 209 619  
 to advance 51 63 63 106 245  
 253 261 274

## STATE BONDS.

To \$75,000 for redemption of 530 537 564  
 authorize issue of 211 247 363 745  
 771 856 926

## STEAMBOAT COMPANIES.

Oregon, to incorporate 69 102 367  
 Savannah and Florida 169 394 661  
 Coosa River, 910 940 968  
 Georgia and Florida, 912 940 973

## STEAM MILLS.

Penfield, Co. to incorporate 240 311 515  
 Athens, " 912  
 Walton, " 912 944 983  
 Madison " to grant to, 240 312 718 983

## TAXES.

On lands in Wayne, to pay 74 153  
 Rome Railroad. to refund to 38 62 118  
 To reduce 181 437 672 688  
 Non-residents, to pay in 51 84 255 747  
 To refund to 70 92 151 156 369 576 874  
 777 818 895 927 980  
 Citizens, to give in 58 88 355 365 425  
 526 573 825 926  
 To levy extra tax 250 487 939 946 972 537  
 Certain counties to retain 51 84 295 71 151  
 372 374 486 73 526  
 74 153 526 80 184  
 528 80 184 511 529  
 777 720 114 209 619 536  
 To levy and collect 45 64 114 191 210 220  
 289 425 433 440 441  
 442 443 444 445 446  
 447 448 449 450 451  
 452 453 445 456 457

TAXES—*Continued.*

458 459 460 462 463  
 464 465 478 479 480  
 481 482 483 492 493  
 494 495 496 497 498  
 499 500 501 504 507  
 508 509 510 511 512  
 518 530 620 635 638  
 739 706 769 777 839  
 852 855 868 913 957

## TAX COLLECTOR AND RECEIVER—To

Reduce fees of 97 188 224  
 Divide office of 145 207 222  
 Consolidate office of 259 310 714  
 Appt. Assistant 389 563 628  
 Ascertain number of children in 745 882 938  
 Visit houses of Widows 906 939 983  
 Compel persons to give in 89 115 185 210 620  
 Repeal consolidating act 54 85 241 743 770  
 770 804  
 Increase compensation of 129 155 217 265 277  
 318 645 651 812  
 Certain counties to pay over 48 84 169 216  
 294 96 188 600  
 136 219 637 486  
 678 294

## TEACHERS OF POOR CHILDREN.—To pay ac-

counts of,  
 W. M. Threldkell 57 89 370 380  
 W. L. Owens 58 100 355  
 M. A. Maldin 59 101 357  
 C. H. Kettle 59 101 357  
 M. Hargrove 39 62 118  
 N. Center 70 102 367  
 W. Scoggins 80 155 517  
 P. H. Dessau 93 187 600  
 W. E. Haskins 96 187 601  
 R. Cumming 96 187 601  
 D. Whitner 126 211 621  
 W. P. Jackson 129 218 622  
 P. H. Delane 137 223 634  
 J. A. Moss 137 220 634  
 M. W. Gray 149 384 641  
 L. A. Mahaffy 149 384 641  
 S. H. Watson 164 386 654  
 L. A. Albright 181 435 671  
 G. W. Ray 206 484 677  
 D. McDonald 223 585 679  
 Certain 70 101 102 182 223

**TEACHERS OF POOR CHILDREN—Continued.**

357 358 359 94 187  
 637 360 485 634 635  
 637 641 672 679 601  
 380 380

Authorized to furnish books 125 210 720 886

**TESTAMENTARY TRUSTEES.**

To make annual returns 742 882 933

**TIMBER.**

To prevent cutting off 911 940 971  
 " regulate measuring of 253 276 293 294 575

**UNFINISHED BUSINESS.**

Committee to bring up 990 1001

**V.****VOLUNTEER CORPS.**

See Militia .

**W.****WAYS, PRIVATE AND PUBLIC.**

Relative to damages from laying out of 744  
 881 908 930 944  
 881  
 To prescribe mode of laying out 611 740 772  
 776 856 876 905  
 942 952 986

**WEIGHTS AND MEASURES.**

To make uniform 82 185 571

**WESTERN AND ATLANTIC RAIL. ROAD.**

Report of Committee on 111  
 Lunatics, to pass free on 330  
 Deaf and Dumb, " 330  
 Blind " 330  
 To dispose of 461 576  
 To change route of 418 775 858  
 To authorize Engineer to pay 241 310 714  
 To convert into Stock 611 776 876  
 Management of 746 824 829  
 To repeal act of 71 73 288 363  
 Examination of 105 105 109 109  
 Election of Superintendent of 41 42 66 152  
 153 290 267 524  
 To lease and let 104 189 280 407 408  
 538 539 540 541 543  
 544 545 549 555 556

W. & A. RAIL ROAD—*Continued.*

557 558 567 568 569  
 576 577 581 583 584  
 586 587 588 589 590  
 591 602

## WHARVES

Authorize to build on 911 940 973

## WIDOWS AND ORPHANS.

For support of 705  
 For protection of 93 187 599  
 Allowed to choose portion of estate 537 747 868

## WRITS.

Relative to short form of 913 939 982

## Y

## YEAS AND NAYS.—On

Referring Bills to 192  
 Printing resolutions 75 76  
 Pardons of 106 190  
 Making Bills special order of 192 221  
 Decision of Chair 278 589  
 Concurring in 50 166 200 1008  
 Resolutions 95 120 410 837  
 Suspending rules 167 138 211 266  
 Recommitting Bills 158 174 338 372 409  
 Agreement 124 452 665 705 790 838  
 Previous question 250 448 642 854 877  
 Adopting resolutions 173 234 471 639 697  
 898 981  
 Postponement 159 290 408 456 539 684 792  
 845 903 991  
 Receiving substitute 511 590 754 900  
 Striking out of 41 225 231 42 66 128 251  
 271 306 325 411 422 479  
 481 493 495 507 540 548  
 549 567 576 581 666 735  
 805 869 870 977  
 On laying bills on table 60 67 122 146 233  
 371 237 294 296 369  
 275 381 394 501 511  
 522 524 527 538 569 659  
 667 672 680 583 683  
 601 732 737 811 821 822  
 827 845 864 865 949 992  
 994 995 751 759  
 “ reconsidering 76 77 108 119 178 242

YEAS AND NAYS—*Continued.*

	243 275 342 343 350 461
	373 374 455 518 661 687
	688 689 690 691 748 750
	398 420 421 443 531 548
	626 602 604 605 606
	608 716 781 782 828 829
	849 887 888 923 989 990
“ adjournment,	85 126 160 194 227 229
	230 248 359 431 438
	454 482 490 491 512 513
	517 530 547 557 565 635
	636 644 709
“ amendment,	48 109 123 226 272
	279
	304 308 334 336 347 348
	352 353 441 443 446 447
	448 451 458 459 463 464
	480 496 497 498 502 529
	542 543 544 545 556 585
	587 725 800 801 814 863
	978 979 987 1006
	765
“ passage	118 141 142 162 176 179 183
	190 247 254 273 287 288
	314 320 323 349 355 366
	376 382 390 392 396 404
	414 415 500 515 534
	570 573 613 615 629 630
	632 643 649 650 651
	653 658 676 683 594 594
	598 695 701 702 711
	713 714 720 723 734
	738 755 757 760 793 794
	815 816 818 820 820 831 833
	837 839 852 855 856 858
	860 865 867 871 878
	891 895 917 918 919
	920 776 925 926 932
	933 957 966 970 987
	988 993 995

INDEX TO RESOLUTIONS.—Relative to

Adopting rules	8
Editors and Reporters	8
Gallery	8
Acts of last General Assembly	40
Considering Bill	40
Printed Testimony of	47

INDEX TO RESOLUTIONS—*Continued.*

Referring Bills to	52
Sub. to Washington Monument	55
Savannah and Albany Rail Road	78
County lines	89
Altering Judiciary	99
Committee on Census	104
"    "    Deaf and Dumb Asylum	116
Calling yeas and nays	126
State Teachers' Convention	174
Printing report of	265
Rendering Hall to	267
To local Bills	270
Allowing Clerks to	287
Creditors of Darien Bank	293
Disbursements	364
J. W. Taylor and R. Jameson	418
Treasurer, to pay to	431
Elizabeth Stell	470
Election of Solicitor General	508
J. P. Flewellen, for ap'mnt in the Army	523
S. H. Crump   "    "    "    "	863
L. McIntosh   "    "    "    "	947
B. T. Harris   "    "    "    "	948
J. B. McIntosh   "    "    "    "	948
Members Speaking	568
R. R. from N. C. line to Clayton	580
N. E. & S. W. Alabama R. R.	580
Wm. Taylor, Esq.	627
Relative to death of Major. Geo. Taylor	635
Tr. to pay to creditors of Bank of Darien	609
Relative to Arsenal	810
"    White's Historical Collection	898
"    Naval Depot at Brunswick	899
"    Insolvent assets of Central Bank	920
"    Taxable property	920
"    Augusta Bridge Case	929 930
"    Cost of Public Buildings	947
"    Atlanta Bank	947
"    Boundary of Georgia and Florida	948
"    Thanks of House to	973
"    Journals	974
"    Lost Bill, to amend Penal Law	985
"    Rabun Gap R. R.	987 991
"    Respite of G. W. Ray	996
"    Nebraska Bill	1003
"    Monuments	1003
"    Counting votes for Governor	34 34



INDEX TO RESOLUTIONS—*Continued.*

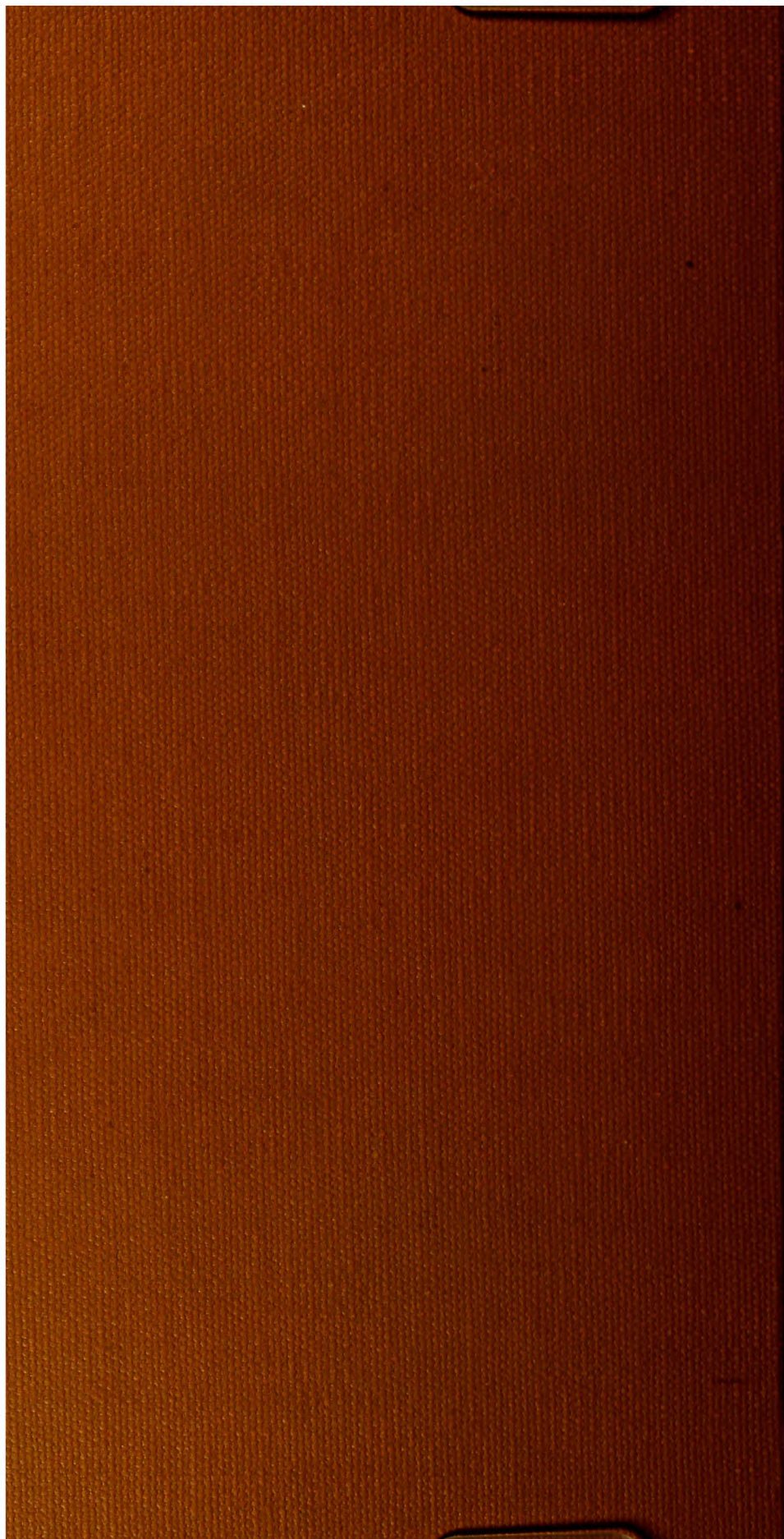
"	Griffin & West Point Plank R.	40 639
"	Door keeper	52 105
"	Adjournment sine die	52 60
"	Printing reports of	56 148
Relative to	Laws and Journals	136 1006
"	Committee on	72
"	Thanksgiving Day	80 115
"	Taxes	83 88
"	Public printing	91 414
"	Death of W. W. Arnold	134 135
"	Memorials	220 244
"	Leave of absence	362 698
"	Call of counties	389 611
"	Clerks and Asssistants	434 440
"	Augusta bridge case	473 474
"	To State debts	562 839
"	To Governor transacting business	
	with	582 947
"	Claim of J. Sturges	696 716
"	Representative Hall	1006
"	Committee to wait on Gov'r	1008 1010
"	New Counties	71 99 99
"	President's Message	74 76 77
"	New matter	91 120 165
"	Election of Senators, U. S.	223 413 471
"	Cobb's Forms	263 947 947
"	Auditing accounts of	278 433 948
"	Absentees	458 612 949
"	Suit vs. W. & A. R. R.	476 991 1000
"	Bonner's Map	523 950 1007
"	W & A. Rail Road	57 60 66 105 592
"	Chaplain	113 121 124
"	Committee on	149 156 165 191
"	Recess	205 233 234 476
"	New matter	319 369 385 433
"	Governor's Message	33 57 59 72 91
"	Meetings of House	90 95 138 147
"	Suspending Rules	167 169 177 211 220
"	Taxable property	302 318 330
"	Acts and Journals	555 947 948
"		1000
"	Elections	7 48 49 41 42 44
"	Meetings of House	346 410 520 521
		654 670
"	Thanks of, to	1004 1011
"	Address of Jesse Oslin	1004
"	Adjournment sine die	52 60 475 492
		554 583 608 811 854
		757 994













Pending which, Mr. Phillips moved to suspend the rules to take up the bill to be entitled an act to amend the 10th Section of the 10th Division of the Penal Law of this Strte.

The motion was agreed to.

Mr. McDougald moved to lay the bill on the table for the balance of the session. Upon which motion the yeas and nays were required to be recorded, at the call of Mr. McCurdy, and are : yeas 32, nays 38.

Those who voted in the affirmative are, Messrs.

Adams	Henderson,	Richardson
Calloway,	Hudson	R A Robinson
Benj. Cleveland,	Linn	Rucker
W C Cleveland	Mangham,	W R. Smith,
Crittenden	Manor	Stokes,
Fish,	McDonald	Thornton
Gartrell,	McDougald,	J. H. Walton
Grant	McLean	Whitworth
Griffin	McMullin,	H L Williams
Hays	Pickett.	Woodward,
Hawkins	Powell	

Those who voted in the negative are, Messrs.

Alread,	Headen,	W. Smith
Anderson	Irwin,	Stapleton
Andrews	Keith	Stephens
Arnold	Latham	L S Stewart.
Bell	Leverett	J. Taylor,
Boatright	Maxwell,	D W Taylor
Crawford	McCurdy,	Trice,
Dawson,	McGregor,	Turner,
Denham	Paris	W. A. Walton,
Haynie	Phillips,	Walker
Iarrall	Redding,	A. J. Williams
Iardison,	G R Reid	Young,
Iamilton	M. Reid,	

So the motion was lost.

The question then recurred upon the passage of the bill, and upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded, on the call of Mr. Stapleton, and are yeas 44, nays 27.

Those who voted in the affirmative are, Messrs.

Alread	Arnold,	Boatright
Anderson,	Bell	Cameron,



Champion	Irwin	Stephens
W C Cleveland	Keith,	L. S. Stewart,
Crawford,	McCurdy,	J Stewart
Dawson	McDonald	J. Taylor,
Denham	McGregor,	D W Taylor
Haynie,	McLean	Trice,
Harris,	Phillips,	Turner,
Harrall,	Pickett,	W. A. Walton,
Hays	Redding,	A J Williams
Hawkins	R A Robinson	H. L. Williams,
Hardison,	Rucker	Woodward
Hamilton	W Smith	Young
Headen,	Stapleton	

Those who voted in the negative are, Messrs.

Adams,	Henderson	Powell,
Andrews,	Hudson	G. R. Reid,
Calloway,	Leverett	M. Reid,
Benj. Cleveland,	Linn	Richardson,
Crittenden	Mangham,	Rumph
Fields,	Manor	W. R. Smith.
Gartrell,	McDougald,	J. H. Walton,
Grant	McMullin,	Walker
Griffin,	Paris,	Whitworth,

So the bill was passed.

The following message was received from the Senate, by Mr. Moore, their Secretary :

*Mr. Speaker*—The following bills of the House have been passed by the Senate, to wit :

A bill to authorize Justices of the Inferior Court, to hold to bail, in certain cases, arising *ex delicto*.

A bill to change and simplify the practice and pleadings in the courts, in this State.

A bill to amend the charter of LaGrange Bank.

They have also agreed to the following resolutions of the Senate, to wit :

A resolution that his Excellency, the Governor, forward the Laws and Journals of the present Session to the Coroners of the several counties of the State.

A resolution agreeing to the appointment of a Commissioner, to proceed to the Legislature of Tennessee, to negotiate a settlement of the difficulties between this State and that in reference to the Western & Atlantic Rail Road.

A resolution, recommending the Governor to respite George W. Ray, of Houston county, now under sentence of death, until the next session of the Legislature.